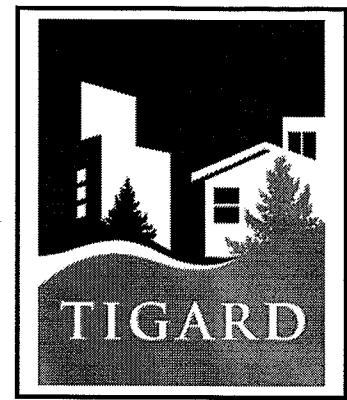




TIGARD CITY COUNCIL,
LOCAL CONTRACT REVIEW BOARD, AND
CITY CENTER DEVELOPMENT AGENCY
MEETINGS

NOVEMBER 28, 2006 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

To request to speak to the City Council:

- Anyone wishing to speak on an agenda item should sign the appropriate sign-up sheet(s).
- If no sheet is available for the agenda item you would like to address:
 - Sign the Citizen Communication sign-up sheet
 - During Citizen Communications ask the Mayor if you may speak when the agenda item is considered by the Council.
 - The Mayor will determine whether public comment will be accepted.
- Sign the Citizen Communication sign-up sheet if you would like to address the Council on items not on the agenda. Citizens are asked to keep their remarks to two minutes or less. Longer matters may be set for a future agenda by contacting the Mayor or the City Manager.
- If you need assistance determining how to sign in, please speak to the staff greeter who will be near the entrance to Town Hall before the Council meeting.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL AND
LOCAL CONTRACT REVIEW BOARD MEETINGS
NOVEMBER 28, 2006

6:30 PM

- **EXECUTIVE SESSION:** The Tigard City Council will go into Executive Session to discuss pending litigation and real property transaction negotiations with legal counsel under ORS 192.660(2) (e) and (h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- **STUDY SESSION**
 - Discuss Potential Jaywalking Ordinance – Police Department
 - City Center Advisory Commission Downtown Development Letter-Community Development Department
 - Fee Schedule Adjustment for Planned Development-Community Development Department

**TIGARD CITY COUNCIL AND
LOCAL CONTRACT REVIEW BOARD MEETING**

7:30 PM

1. **BUSINESS MEETING**
 - 1.1 Call to Order: City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. **CITIZEN COMMUNICATION (Two Minutes or Less, Please)**
 - Citizen Communications – Sign Up Sheet
 - Report from the Tigard Area Chamber of Commerce President Ralph Hughes
 - Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for October 10, 17, and 24, 2006
- 3.2 Approve Budget Amendment #6 to increase appropriations in the Water Quality/Quantity Fund Capital Projects budget for the Hiteon Creek Riparian Enhancement project – Resolution No. 06- _____
- 3.3 Approve Budget Amendment #7 to accept and expend Bureau of Justice Grant Funds for the GREAT Program-- Resolution No. 06- _____
- 3.4 Approve Budget Amendment #8 to increase appropriations in the Gas Tax Fund for funding of the Preliminary Engineer's Report for the proposed Local Improvement District (LID) for infrastructure improvements in the Tigard Triangle -- Resolution No. 06- _____
- 3.5 Approve Budget Amendment #9 to correct Budget Amendment #2's Resolution No. 06-49 Attachment A to the Resolution-- Resolution No. 06- _____
- 3.6 Appoint Dennis Sizemore to the Tree Board as a Voting Citizen Member – Resolution No. 06- _____
- 3.7 Approve amending Master Fees and Charges Schedule and update the Planned Developments Fee Schedule—Resolution No. 06- _____
- 3.8 Approve Amendment to Resolution No. 06-65 Revising the Membership of the Citizen Advisory Committee for the Highway 99W Corridor Improvement and Management Plan—Resolution No. 06- _____
- 3.9 Local Contract Review Board:
 - a. Award of Contract for Construction of Hall Boulevard Sidewalk (from Spruce Street to 850 feet south)
 - b. Award of Contracts for Wetland Services on an As-Required Basis
- 3.10 City Center Development Agency:
 - a. Direct staff to execute a Memorandum of Understanding with Wilking Investments V LLC for a potential easement to develop a “gateway to Fanno Creek Park” from Main Street
 - b. Direct staff to execute a Memorandum of Understanding with Stevens Marine, Inc. for potential purchase of key properties in the downtown

- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

4. PRESENTATION TO CITY OF TIGARD OF PACIFIC NORTHWEST CLEAN WATER ASSOCIATION'S 2006 OUTSTANDING REUSE CUSTOMER AWARD
Presentation: CleanWater Services Director and Reuse Plan Project Manager
5. PRESENTATION TO CITY OF TIGARD OF 2005/06 SILVER SAFETY AWARD FROM LEAGUE OF OREGON CITIES AND CITY COUNTY INSURANCE SERVICES
Presentation: Risk Manager
6. PUBLIC HEARING (INFORMATIONAL) – FINALIZE SANITARY SEWER REIMBURSEMENT DISTRICT NO. 32 (SW FERN STREET)
 - a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Engineering Staff
 - d. Public Testimony:
 - Proponents
 - Opponents
 - e. Staff Recommendation
 - f. Close Public Hearing
 - g. Council Consideration: Approve Resolution No. 06-_____
7. PUBLIC HEARING (INFORMATIONAL) – FINALIZE SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93RD AVENUE)
 - a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Engineering Staff
 - d. Public Testimony:
 - Proponents
 - Opponents
 - e. Staff Recommendation
 - f. Close Public Hearing
 - g. Council Consideration: Approve Resolution No. 06-_____
8. EMERGENCY MANAGEMENT PROGRAM UPDATE
 - a. Staff Report: Public Works Department
9. POLICE DEPARTMENT ANNUAL REPORT
Staff Report: Police Department

10. COUNCIL LIAISON REPORTS
11. NON AGENDA ITEMS
12. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
13. ADJOURNMENT

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title City Center Advisory Commission Downtown Development LetterPrepared By: Phil Nachbar Dept Head Approval: TC City Mgr Approval: CR**ISSUE BEFORE THE COUNCIL**

Review of City Center Advisory Commission (CCAC) "Developer letter" encouraging prospective developers in the Downtown to adhere to the Tigard Downtown Improvement Plan. The letter will be made available at pre-application meetings to all applicants undertaking new development or major reconstruction in the Downtown.

STAFF RECOMMENDATION

Information only.

KEY FACTS AND INFORMATION SUMMARY

The City Center Advisory Commission has shown concern about new development occurring in the Downtown that is not subject to new land use regulations and design guidelines. The specific concern is that new development proposals may not conform to what is envisioned in the Tigard Downtown Improvement Plan (TDIP), and could result in projects which are not the proper land use or quality anticipated by the Plan. Staff began the process of developing new regulations for the Downtown in June 2006, but final adoption and the public hearing process is not anticipated until July 2007. The CCAC felt this letter would encourage a spirit of cooperation and adherence to the TDIP until final regulations have been adopted.

OTHER ALTERNATIVES CONSIDERED

N/A

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Land Use / Design Guidelines are a top Council goal for 2006 under the "Implement Downtown Plan" - Identify and make changes to the Tigard Development Code needed to implement the Downtown Plan (e.g., zoning overlays, design standards). It is also part of the Vision Statement under the "CBD" - 2) Upgrade City's regulations for the Central Business District in cooperation with consultant's recommendations.

ATTACHMENT LIST

Attachment 1: Proposed CCAC Developer Letter

FISCAL NOTES

No cost impact.

**City of Tigard
City Center Advisory Commission
13125 SW Hall Blvd.
Tigard, OR 97223**

October 11, 2006

Thank you for your interest in investing in Tigard. We are enthusiastic about the opportunities that exist within our city and welcome your involvement.

As you are aware, your proposed project is located within Tigard's City Center Urban Renewal District. This district came into being because the voters of Tigard overwhelmingly approved the adoption of Tigard's Urban Renewal Plan in May of 2006. The key component in this urban renewal effort is Tigard's Downtown Improvement Plan. This plan was developed with painstaking care by Tigard citizens over a 3 year period. Those citizens continue to be involved as the Downtown Improvement Plan moves into the implementation phase.

Our vision of Downtown Tigard is "an active urban village at the heart of our community, pedestrian oriented, accessible by many modes of transportation, one which recognizes natural resources as an asset and enables people to live, work, play and shop in an environment that is uniquely Tigard."

To make this vision a reality, the City of Tigard must ensure that land use regulations and design guidelines are in place to guide development proposals toward the type and quality envisioned in the Downtown Improvement Plan. This legislative and administrative process is underway today, but it is not complete.

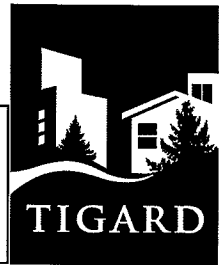
We, as citizens of Tigard who are committed to Tigard's Urban Village becoming a reality, are appreciative of your interest and respectful of your prospective investment in our City. We are concerned that the timing of your project precedes the adoption of the land use and design guidelines that we hold to be very important, if not critical, to promoting quality and a sense of permanence in redeveloping our downtown.

We ask that as you proceed with your design development and feasibility analysis, to please be sensitive to the vision and expectation of Tigard residents who have voted for, and expect nothing less than, an improved downtown. Please join us in creating an urban village that embodies quality and permanence, an urban village that is pedestrian oriented, and an urban village that complements the expanded open space areas identified in the Downtown Plan.

Respectfully,

Carl Switzer
City Center Advisory Commission Chairman

Agenda Item No. 3.1.a
For Agenda of 11-28-06



Tigard City Council Meeting Minutes

Date: October 10, 2006
Time: 6:30 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session		
Briefing on Outreach and Education Meetings with Urban Renewal District Property and Business Owners concerning Land Use and Design Guidelines	<p>Associate Planner Farrelly reviewed this topic with the City Council. Information presented included the following:</p> <ul style="list-style-type: none"> ➤ Distributed a letter dated October 6, 2006, signed by Mayor Dirksen inviting involvement in developing new land use regulations for the Downtown Urban Renewal area. ➤ The above letter was mailed to 500 people today. The CCAC members and volunteers will follow up to urge people to get involved. ➤ The two meetings announced in the letter will be in an Open House format with four information stations set up. <p>In response to a question from City Manager Prosser, Associate Planner Farrelly advised he had not heard about plans for a convenience store to be located in the downtown.</p>	
Administrative Items	<ul style="list-style-type: none"> ➤ Associate Planner Farrelly advised he followed up with an inquiry to Trader Joes and found out they have no interest in opening up a store in the space vacated by Haggens. ➤ Tonight's Business Meeting: <ul style="list-style-type: none"> ○ Item No. 2 – Citizen Communication – 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Tualatin Resource Center Annual Update by Catherine West will be rescheduled.</p> <ul style="list-style-type: none"> ○ Item No. 4 – Update on the 41st Brigade by the American Legion will be rescheduled due to illness of one of the presenters. <p>➤ Council discussed the meeting schedule for November, December and January :</p> <ul style="list-style-type: none"> ○ Thanksgiving week – The regularly scheduled meeting will be held on Tuesday, November 21 (workshop meeting) ○ There will be two business meetings in December, December 12 and 19. The December 26 meeting will be cancelled. ○ The January 9, 2007, Council meeting will be held for ceremonial items: oaths of office, election of the Council president, Mayor's State of the City Address, photographs, and a reception for the newly elected Mayor and Councilors. Business items may be scheduled if needed before the next scheduled business meeting of January 23, 2007. <p>➤ Council tentatively selected December 15, 2006 for its 2007 goal-setting meeting, 1-5 p.m. at Councilor Wilson's home. (Recorder's Note: This meeting was subsequently rescheduled to December 11, 2006, 1-5 p.m., at Councilor Wilson's home.)</p> <p>➤ Councilor Sherwood and Ms. Gretchen Buehner said they would attend the kick-off of the after-school programs. Councilor Woodruff will try to attend. In an e-mail message to the City Manager, Youth Services Officer Huiras advised there will be an assembly at Twality Middle School, 4-5 p.m., October 16, 2006 with a variety of speakers, entertainers, and media representatives.</p> <p>➤ Council members received a copy of an October 10, 2006, memorandum from City Engineer Duenas regarding a meeting with the Congressional delegation arranged by Westside Economic Alliance. Also attached</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>to the memorandum was a flyer announcing the WEA Breakfast Forum Series meeting for October 26, 2006.</p> <ul style="list-style-type: none"> ➤ Community Development Director Coffee introduced the new Long-Range Planning Manager Ron Bunch. 	
Executive Session	<p>The Tigard City Council went into Executive Session at 6:45 p.m. to discuss real property transaction negotiations and for consultation with legal counsel regarding potential litigation under ORS 192.660(2)(e) and (h).</p> <p>Executive Session concluded at 7:19 p.m.</p>	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and the Local Contract Review Board to Order at 7:30 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, Wilson, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports</p> <ul style="list-style-type: none"> ➤ Councilor Woodruff announced that the October 31, 2006 5th Tuesday City Council meeting was cancelled. <p>1.5 Call to Council and Staff for Non-Agenda Items: None</p>	
2. CITIZEN COMMUNICATION	<ul style="list-style-type: none"> ➤ Tigard High School Student Envoy Jasmina Dizdarevik presented a City Council Student Report. A copy of her report is on file in the City Recorder's office. ➤ Mayor Dirksen announced that Catherine West would not be giving an update on the Tualatin Resource Center. The Center is temporarily closed after a recent break-in and they are looking at other options to relocate. ➤ City Manager Prosser gave a follow-up report on previous citizen communication from Mr. 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>John Frewing. He noted a citizen had suggested that the City revise its methodology with regard to Parks System Development Charges. The idea was to take into account the future value of land since it takes quite awhile to purchase land. City Manager Prosser said it would be difficult to determine the future real estate market. He explained the valuation methodology the City uses was updated about two years ago to calculate changes in land value, which is a fee formula based on market value. The fee is then multiplied by an average of two indices: one reflecting the change in construction costs and one reflecting changes in land acquisition costs. This information will be forwarded to Mr. Frewing.</p> <p>➤ City Manager Prosser also provided a follow-up report to a citizen inquiry about development on 79th Avenue. Community Development Director Coffee and City Engineer Duenas will be meeting with this citizen later this week or next week.</p>	
3. Consent Agenda	<p>3.1 Receive and File:</p> <p>3.1.a Council Calendar</p> <p>3.1.b Tentative Agenda</p> <p>3.2 Local Contract Review Board</p> <p>3.2.a Award contract for Hydrogeologist of Record</p> <p>3.2.b Award Contracts for Traffic and Transportation Engineering Services on an as-Required Basis</p>	<p>Motion by Councilor Harding, seconded by Councilor Woodruff, to approve the Consent Agenda.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>
4. Update on the 41 st Brigade by the American Legion	This agenda item will be rescheduled.	

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>5. Resolution in Support of the Washington County Public Safety Levy</p>	<p>Washington County Sheriff Rob Gordon addressed the City Council on the upcoming election for which there is a County Public Safety Measure (Ballot Measure 34-127).</p> <p>A copy of the slide presentation is on file in the City Recorder's office.</p> <p>The purpose of the levy is to maintain public countywide safety services such as jail, special enforcement teams, prosecutors, juvenile counselors, probation and parole services, emergency communications and emergency shelters for victims of domestic violence such as Tigard's Good Neighbor Center. This is not a new or additional tax. Approval by voters will continue existing levy and budget levels.</p> <p>Sheriff Gordon asked the City Council to support the proposed resolution.</p> <p>Councilor Sherwood thanked Sheriff Gordon for attending tonight's meeting.</p> <p>Mayor Dirksen noted that, while the funding that would be designated for the homeless shelter appears to be a small amount, approximately half of the shelter's budget would come from this resource.</p> <p>Councilor Woodruff also thanked Sheriff Gordon for attending and said it was a good reminder about services offered by the Sheriff's Department enhance the Police Department. Sheriff Gordon reviewed some of those services, which included civil process and service, the county jail, search & rescue, investigations for smaller cities, tactical/swat teams, forensics, major crimes teams, and "cavalry" if more officers are needed for situations in local jurisdictions. A portion of the levy would assist with improvements for the 911 facility.</p> <p>Sheriff Gordon, in response to a question from Councilor Woodruff, advised that there are 14</p>	<p>Motion by Councilor Sherwood, seconded by Mayor Dirksen, to adopt Resolution No. 06-62.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>

	<p>patrol districts within the County. The Sheriff's office coordinates with local police agencies.</p> <p>In response to a question from Councilor Harding, Sheriff Gordon explained how he derived the figures he used in his presentation to show statistics on law enforcement services. Councilor Harding noted she would like to be able to see trends for the last three years.</p> <p>Councilor Harding noted the most recent levy expired last June. Sheriff Gordon noted there have been some cost savings because of vacant positions; however, those savings will be gone by December 31, 2006. If the levy passes in November, the Sheriff's office will be able to borrow from the County to continue the current level of service until the new levy becomes effective.</p> <p>Mayor Dirksen added his thanks and noted he appreciated the assistance the Sheriff's Department provides to the police department.</p> <p>The City Council considered Resolution No. 06-62 at this time:</p> <p>RESOLUTION NO. 06-62 – A RESOLUTION SUPPORTING THE LEVY RENEWAL FOR MAINTAINING PUBLIC SAFETY COUNTYWIDE SERVICES – MEASURE 34-127</p>	
<p>6. Update on Proposed Washington County Cooperative Library Services Operational Levy</p>	<p>Library Director Barnes presented the staff report and slide presentation for this agenda item. A copy of the presentation is on file in the City Recorder's office.</p> <p>Mayor Dirksen noted the City Council considered and approved a resolution at a recent City Council meeting. He also noted he is the co-chair of the political committee supporting this measure. Approval of the levy will "go a long way" towards restoring the open hours of the library.</p> <p>Councilor Harding referred to impacts on the</p>	

	<p>General Fund when additional money is needed to fund library operations.</p> <p>Councilor Wilson noted the high level of support the library has within the community. He said he hopes the voters can support this ballot measure in November.</p>	
7. Commuter Rail Update	<p>City Engineer Duenas, and Tri Met staff members Elizabeth Davidson and Steve Witter presented information and a slide presentation to the City Council. A copy of the presentation is on file in the City Recorder's office.</p> <p>Major construction will begin on the Washington County Commuter Rail this fall. This 14.7-mile project is one of the first suburb-to-suburb projects in the country and will provide a critical public transportation alternative to better serve the Westside corridor, connecting the cities of Beaverton, Tigard, Tualatin and Wilsonville.</p> <p>Construction will begin in late October with work beginning in Wilsonville, proceeding north towards Beaverton. Fourteen miles of railroad track will be reconstructed. Construction impacts were reviewed including road closures at railroad crossings.</p> <p>It is anticipated that the project will be completed in mid-2008 with trains beginning operations in the fall of 2008.</p> <p>A groundbreaking ceremony is planned to be held at the Tigard station on October 25. About 600 invitations have been mailed out for the groundbreaking.</p> <p>A review of safety concerns and measures were reviewed. Of primary concern within Tigard are the crossings at Bonita and Main Street. Mr. Witter noted that both commuter and freight trains will be traveling through at greater speeds than what the trains are now going. While the commuter trains will be slowing to stop at the Tigard station, the freight trains will not be</p>	

	<p>slowing down. Medians are proposed at the Bonita Road and Main Street railroad crossings.</p> <p>Mayor Dirksen noted the impacts to businesses, but said the trade-off might be that the traffic flow is improved overall.</p> <p>City Engineer Duenas said he anticipated that a signal will be needed in the future on Tiedeman Street.</p> <p>Discussion followed on potential impacts on traffic during the construction. Once the construction begins, a schedule can be updated regularly and an information line will be set up. Construction activities will be coordinated with schools and emergency services providers.</p> <p>There was discussion on the specialized machine called the P-811 that will be used to do the track reconstruction work. Some track will be left and a clean up plan will be implemented.</p>											
<p>8. Public Hearing (Informational) to Consider Resolution No. 06-63 forming Sanitary Reimbursement District No. 39 (SW Hill View/102nd Streets</p>	<p>Mayor Dirksen opened the public hearing.</p> <p>There were no City Council declarations or challenges.</p> <p>City Engineer Duenas presented the staff report and slide presentation for this agenda item. A copy of the presentation is on file in the City Recorder's office.</p> <p>There was no public testimony.</p> <p>Staff recommended that the reimbursement district be approved.</p> <p>Mayor Dirksen closed the public hearing.</p> <p>The Council considered Resolution No. 06-63:</p> <p>A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 39 (SW HILL VIEW STREET, 102ND AVENUE)</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to approve Resolution No. 06-63.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table> <tr> <td>Mayor Dirksen</td> <td>Yes</td> </tr> <tr> <td>Councilor Harding</td> <td>Yes</td> </tr> <tr> <td>Councilor Sherwood</td> <td>Yes</td> </tr> <tr> <td>Councilor Wilson</td> <td>Yes</td> </tr> <tr> <td>Councilor Woodruff</td> <td>Yes</td> </tr> </table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	Yes											
Councilor Harding	Yes											
Councilor Sherwood	Yes											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											

<p>9. Continuation of Public Hearing from September 26, 2006 (Quasi-Judicial) to Consider the Annexation of the Cach Creek Area (ZCA 2006-00002)</p>	<p>Community Development Director Coffee presented a summary of the staff report. The City Council held a hearing on September 26, 2006, and agreed to continue the hearing to October 10, 2006. Council held the record open for written testimony to be submitted by 3 p.m. on October 3. Additional written testimony was submitted to the City Council in the Council meeting packet and this information is on file in the City Recorder's office.</p> <p>Council members indicated they had reviewed the additional testimony.</p> <p>Attached to these minutes, marked Exhibit A, is the detailed summary of the remarks by the Mayor and City Council members for this matter.</p> <p>After City Council members concluded their remarks, Mayor Dirksen advised the Council would be considering Ordinance No. 06-15.</p> <p>AN ORDINANCE ANNEXING 35.78 ACRES, APPROVING CACH CREEK AREA ANNEXATION (ZCA2006-00002), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT; WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT</p> <p>Before the Council voted, Mayor Dirksen asked City Attorney Ramis if the Council had overlooked any steps needed prior to a vote of the City Council? City Attorney Ramis advised that the Council had taken the proper steps under the statute and now was the time to vote. Also, in response to a question from Mayor Dirksen, City Attorney Ramis confirmed that the hearing had been closed previously.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Ordinance No. 06-15.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table> <tr> <td>Mayor Dirksen</td> <td>Yes</td> </tr> <tr> <td>Councilor Harding</td> <td>*Yes</td> </tr> <tr> <td>Councilor Sherwood</td> <td>Yes</td> </tr> <tr> <td>Councilor Wilson</td> <td>Yes</td> </tr> <tr> <td>Councilor Woodruff</td> <td>Yes</td> </tr> </table> <p>*Councilor Harding explained at the time of her vote that she was going to say yes, but she also understood that it could be undone by a judge. She said she needed to take a stand on saying this is property that we own, that it is part of our city. She said that if the judge should rule another way, we'll address that then.</p>	Mayor Dirksen	Yes	Councilor Harding	*Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	Yes											
Councilor Harding	*Yes											
Councilor Sherwood	Yes											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											

Adjournment	The meeting adjourned at 9:30 p.m.	<p>Motion by Councilor Harding, seconded by Councilor Woodruff to adjourn the meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p> Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes </p>
-------------	------------------------------------	---

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

Council Comments – Consideration of annexation of the Cach Creek Area (ZCA 2006-0002) – October 10, 2006 (Agenda Item No. 9)

Mayor Dirksen asked if everyone reviewed the testimony received since September 26, 2006. All Council members indicated they had reviewed the testimony. Mayor Dirksen asked for Council comments.

Councilor Harding

I think this is a tough one. It's hard, because if the shoe were on the other foot, we would have the same people who were wanting to incorporate saying, "Wait" -- you know, if they were a city this is land that we own that we want to be part of our City and we wouldn't want someone else incorporating and taking part of that. I think we have to be careful in looking what the properties are. We haven't received a lot of testimony from other people. Part of me says what is the harm if we wait until after the election...wait until November. If they should incorporate then go from there and say should we hold onto it or sell it, what could we do. It's kind of tough. I've been on the fence...I can understand both sides. And, I understand our position, too. This is not something that just came about at the time that they filed the petition to incorporate. But, it makes sense to have property that we own in the City in our own City limits. So, with that I think that we also have a judge that is going to be making a ruling that we haven't had come down yet. So, it almost seems regardless of what we decide, it could be undone. Is it really something we have to do tonight, even. Or, should we wait until the judge makes a ruling. Tough call. I have been very undecided to be quite honest.

Council Woodruff

Well...as I have said before that I want to make sure that whenever I vote on something that I think it is legal and that I think it is right to do for the people of Tigard. So, I take this very seriously. I have prepared some remarks here related to this and to the process we have been in for the last couple of years regarding issues related to annexation.

I do think that this is a legal act, based on my understanding. But in any case, as Councilor Harding said, a judge is going to rule on that question now that the issue has been given to the court by those people who are opposed to this particular annexation.

The second question, though, is easier for me: Whether it is the right thing to do? I think if you took a survey of the residents of any city, I am convinced that they would agree that property owned by a city should not end up in the city limits of another city. Land and assets purchased by the taxpayers in a city should remain under the local control of that city. That seems like a no brainer to me. I don't see how you can argue on the other side of that.

My support of this proposal is not at all in conflict with my support of the people living in the unincorporated Bull Mountain area. I believe that they have every right to make choices for their future. This Council has publicly stated that incorporation of that area is

a good thing. Since the majority chose not to join the City of Tigard, then incorporating into a new city is a very viable option. We have done nothing to oppose this incorporation vote.

I am disappointed with some of the people that have been out front on this issue for a couple of years and are now leading the charge on this vote by making Tigard and this Council the villain.

They have said things so often and so convincingly that I think many people come to believe the things that have been said are true. I say shame on them for saying in a hundred different ways that Tigard wants to force people to become a part of Tigard. Over the last several years, there has not been one parcel annexed to Tigard against the owner's will.

I say shame on them for saying that all we care about is gobbling up more property just so we can collect more taxes. Ninety percent of the property related to this proposal is owned or controlled by the City of Tigard and it will generate no property tax income whatsoever.

Shame on them for repeatedly saying that this City and Council do not care about the community's quality of life or appearances. The implication is that we don't care about families and that we break the rules so we can crowd as many homes as possible onto every parcel. This is not only untrue, but it is very offensive.

Shame on them for always trying to make it seem that we are the ones that are not cooperating and being reasonable. If there is to be a better dialogue and partnership, then there needs to be compromise on their side as well.

And finally, shame on us for allowing these attacks on us to drain our time, our energy and our resources. We have allowed some non-residents of Tigard to have more power and influence than they deserve to have on this Council.

I support this ordinance and I am hopeful that no matter how the election turns out, the relationship between Tigard and the people of Bull Mountain will improve.

Councilor Sherwood

I am going to support the annexation of this property for the following reasons:

The City of Tigard owns 17.71 acres of this land and, as a City Council we represent 45,500 residents who elected us. For us to leave this land in another city's boundaries would be irresponsible to those citizens. It was the bulk of their money that purchased this land and, as such, they have a vested interest in protecting their purchase. Because of the agreements with Washington County, the City took steps years ago to buy this land when it became available. For many years, the City Council of Tigard had a policy not to purchase land for parks outside the city limits. This instance of Tigard owning land outside this boundary for park land is a good example of why they didn't purchase land

for parks on Bull Mountain. If our efforts to annex this property become void, I would look for input from the citizens of Tigard to determine if they wish to leave their property inside the City of Bull Mountain or sell it. However, with the circumstances what they are now, I am going to vote for this annexation until the courts decide whether we have the right.

As for the olive branch approach – I would suggest that Tigard take the land into the City of Tigard and develop it as park. We have been moving in that direction for years and have been waiting until it had been annexed before developing it. Also, having the Water District property inside our boundaries also gives us the impetus to develop even more park land. If Bull Mountain does incorporate, it would take more than a few years before they would have the available funds to develop parks. We would not be locking up parks to residents outside the City limits, just like we don't do now with our parks. We promised the people on the north side of Bull Mountain that we would build parks and just as they were getting to the point of being able to assemble the land to reach the park land, the new city boundaries of Bull Mountain were drawn. After two years of negotiation, we purchased the Cach property just before Bull Mountain incorporation was legally being petitioned for.

If the people in Bull Mountain are really serious about an olive branch approach, I would offer that the City of Tigard bring the land to be annexed into the city and develop it for park land during the next few years for all of the residents on Bull Mountain. If the incorporation is a positive vote, then we can work together to develop a plan for maintenance of the said park land.

Councilor Wilson

Actually, some of Tom's comments are similar to mine. I don't really want to talk to tonight about the legal issues. Everyone agrees that whether or not the annexation will be allowed to stand will be decided by the courts based on the interpretation of the law.

What I really want to address is the morality of our decision, since it was called into question by Mr. Franzke at the public hearing two weeks ago. Mr. Franzke writes and I quote: "What I want to address is the 'wrongness' of the City's action – it is wrong, wrong, wrong. Has this Council no sense of decency? Has it no respect for the will of the citizens who will be affected by its actions? Must the lust for more tax revenue trump basic fairness? I urge the Council to do the right thing: stop the annexation effort immediately and abide by the outcome of the incorporation vote on November 7th."

Now, Mr. Franzke doesn't say why he thinks it is wrong to annex the property. Maybe he thinks it is obvious. It is not obvious to me. I am going to show why, in fact, the opposite is true – that the citizens of - for incorporation of Bull Mountain ought to step aside and let the City of Tigard annex the property. Mr. Franzke, rather than advancing a cogent argument, attacks this City Council saying that we have no sense of decency, no respect for those impacted by our decisions. And then, he suggests a motive – that we lust for tax revenue. Of course, that is ridiculous. There is no tax revenue, this is public land. Was this a mistake by Mr. Franzke? I doubt it. Mr. Franzke is an attorney who

chooses his words carefully. No, I think this is a conscious effort to destroy the credibility of this Council and the City of Tigard. Mr. Franzke is an attorney after all. He is trained to tear down witnesses on the witness stand. In court it is more about winning the argument than getting out the truth. This has been going on for two years. We have been subject to baseless assertions, half-truths, insults, and yes sometimes even lies.

Now, I like to believe the best about people. When people tell me something, I assume they are telling the truth. But, when the same issues are said over and over and over again and you correct them and they still say the same things, I call it what it is – it's a lie.

Since our motives have been called into question, I would like to talk a little bit about what my motives are and it is certainly not a lust for taxes.

I bought my first Tigard house in 1990. Shortly thereafter I was appointed to the Planning Commission. Tigard at that time was a rapidly growing City. At that time, from 1990 to now, one-third of all the houses that are currently standing in Tigard were built – 15 years; one-third. As we sat on the Planning Commission, we saw subdivision after subdivision application come through: Benchview Estates, Morning Star, Hillshire Estates, Quail Hollow, Hillshire Woods, Mountain Highlands, Ravenridge, Arlington Ridge, Eagle Pointe, Whistler's Walk, Daffodil Hill, Pacific Crest, and on and on and on. Most of these subdivisions were on the west part of Tigard moving toward Bull Mountain because that is where the land was. As the development pushed to the City limits and annexations began to occur, it has been alleged that these annexations were forced because of our IGA with Washington County. The Washington County IGA was signed in 1997. In 1996, 18 acres were annexed – all voluntary. In 1995, 25 acres were annexed. In 1994, 76 acres were annexed. These annexations occurred one by one over time, voluntarily as development occurs.

We knew that there was no parks provider in unincorporated Washington County. We knew that there was no legal way to stop or even slow development. We had to get out there in front of development. We had to take action to annex Bull Mountain if there was to be any park land up there at all. We knew we didn't have much time. When we started the process, there were no park advocates from unincorporated Bull Mountain. No one came to us and said they had a concern about development. Unincorporated Bull Mountain was essentially asleep unaware of the onslaught of development that was just about to hit it. The rest is history.

When we began the annexation effort, the tenor of the debate was against the City. It was not particularly *for* anything. They blamed Tigard for all of the ills of Bull Mountain, including the lack of park land. Mr. Franzke, when he testified to the Board of County Commissioners on July 25th said, "Here we are after many years of being governed by Washington County followed by almost ten years of governance by the City of Tigard, and we have no parks. So money has gone back and forth. It's gone through system development charges and so on and so forth, but the money has not been spent on Bull

Mountain. And here we are two years after the annexation battle in which parks are a major issue there and still nothing has been done.”

There has never been a parks provider in unincorporated Bull Mountain. Washington County has two parks. One is at Hagg Lake; it’s self-supporting. The other is at Metzger. The little park in Metzger was formed in the 70’s by the citizens there when they formed an LID. They support that themselves with their tax income. Every five to seven years as inflation eats away at their budget, they have another vote to support another increase in the amount that they tax themselves. It’s always been approved. There has never been any County tax money used for parks ever in Washington County.

Secondly, Tigard never governed Bull Mountain in any sense of the word. Tigard administered the zoning and building codes. It is much in the same way that King City hires Parson Brinkerhof to administer their zoning code. No one would say that Parsons Brinkerhof governs King City. Tigard had no authority to change any zones on Bull Mountain. It had no authority to change the code without the County Commissioners voting on it. They collected fees from developers to pay for the administration. Those fees were used for administrative use only.

Mr. Franzke mentioned system development charges. System development charges are collected by the City of Tigard from developers for parks when building permits are issued. No SDC’s were ever collected in the unincorporated area. Mr. Franzke knows this. I believe he intentionally used vague language to mislead. He said – listen carefully to this – “So money has gone back and forth. It’s gone through system development charges and so on and so forth, but the money has not been spent on Bull Mountain.” The implication is that this money was collected from unincorporated Bull Mountain residents and spent elsewhere. It is absolutely not true. Are you outraged Mr. Franzke? Let me tell you who should be outraged – it should be the citizens inside the city limits from whom these fees were collected. Not, from those in the unincorporated areas. It should come from my neighbors, it should come from people like me.

I bought my second Tigard house three years ago. Systems development charges were included in the purchase price and rolled over and I paid them through my mortgage. When I bought my house, this is how much I paid. (At this point Councilor Wilson placed a sum of cash on the desk before him.) That’s \$1700. That’s real money. That’s what I paid for parks. All of the citizens in the unincorporated area together – all together – paid less than this amount – less than one penny. Where’s the outrage? Who deserves the parks – these people or these people?

Who deserves a park? The median household income in Metzger is \$30-40,000. The median household income in Bull Mountain is \$75,-100,000. When people of modest means adopt a can-do attitude, band together and achieve a community goal like the people of Metzger did, they deserve to be commended. When they take care of themselves without asking for a handout, that’s admirable. When wealthy people demand services they did not pay for and indeed refuse to pay for; when they come in

here and demand services from us, that deserves to be condemned. Mr. Franzke, save your lectures about fairness and get out of the way, we have a park to build.

Mayor Dirksen

I appreciate all of things that my fellow Councilors have said. Like Councilor Harding, I was kind of on the fence on this, trying to decide what made the most sense here -- whether we should annex this or not in light of what also is happening on Bull Mountain -- with the incorporation effort and several other things. But also, like Councilor Woodruff, I never had any doubt as to what would be the right thing to do. Sometimes what makes sense and what's the right thing to do isn't the same thing. But, if I have to make a decision between doing something that makes sense and doing the right thing, I'll always pick -- at least I try -- to always pick the right thing. I told my sons when they were growing up, when you have to make a decision and you know what the right thing to do is, but sometimes it doesn't make sense because maybe nobody else is supporting it -- if you decide to do the right thing, later even after everything goes to hell, you can always say, you know what I did was the right thing.

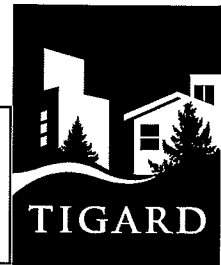
The really sad part about this -- today should be a day of celebration. Today is the day when we get a chance to make a step to fulfill a promise that we made to the people that live on Bull Mountain, both inside the city and outside the city -- that we would do our best to try to figure out a way to provide a park on Bull Mountain. We agreed with everyone that the Bull Mountain area was a park-deficient area. And, our Parks Master Plan recognized that also and for years has shown the need and identity for a park on Bull Mountain. This Council has worked for years in an effort to find and purchase land on the Mountain to provide the people there with a park. The people that were opposed to the City for the annexation effort two years ago were amongst the loudest voices saying that the City should be looking for land on Bull Mountain to build a park. We, since that time -- agreeing with them -- we've made every effort to do so. Now, when we get to the point where we are actually going to do it, we're being opposed, vilified, and punished by those very same people for doing what they asked us to do. That's unfortunate. They have their agenda, they've moved ahead. We have ours as well. They don't match. That's not to be surprising.

This Council -- I feel -- this Council and even the previous Council -- that worked toward a conclusion on Bull Mountain, whether it be an annexation or whatever is appropriate -- has always done so in an effort to do for the community what the community needed. My personal opinion is that the Friends of Bull Mountain and, to some extent, that it is the same people that are the people for incorporation -- what it has always been about for them is not necessarily what the community needed or what anybody needed, but what they wanted -- what they wanted -- those individuals. And, that's unfortunate. But because they have that agenda and because they have that desire, doesn't mean that we need to bend to it. We have no control over what they do and they will ultimately determine their destiny on Bull Mountain. And, we don't know what that will be. But we do know what we can do and what we have control over. And so we can move forward with our plan in that direction. And I think that's what this Council needs to do rather than trying to second guess what may or may not happen -- what other people may

or may not choose to do. But rather, move ahead with what we know and what we are secure in and what we have control over. And one of those things we can do, is move forward toward fulfilling that promise that we promised years ago to provide a park on Bull Mountain. And, for that reason, I would support this annexation as well.

i:\adm\cathylccm\2006\061010.doc

Agenda Item No. 3.1.6
For Agenda of 11-28-06



Tigard City Council Meeting Minutes

Date: October 17, 2006
Time: 6:33 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding (arrived at 7:13 p.m.)
Councilor Sydney Sherwood
Councilor Nick Wilson
Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
1. Workshop Meeting	<p>1.1 Mayor Dirksen called the meeting to order at 6:33 p.m.</p> <p>1.2 Roll Call: Mayor Dirksen and Councilors Harding (arrived at 7:13 p.m.), Sherwood, Wilson, and Woodruff</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports: None</p> <p>1.5 Call to Council and Staff for Non-Agenda Items: None</p>	
2. Joint Meeting with Loaves and Fishes Senior Center Board	<p>Members of the Loaves and Fishes Steering Committee present: Bill Gerkin, Christa Topf, Corry Stolk, Jay Leet, Kris Magaurn, Mary Ann Hulquist, Mary Ellen Seger, Myrna Boyce. Also present was Karen Gardner, Tigard Senior Center Director.</p> <p>Risk Manager Mills introduced this agenda item. She noted the City of Tigard provided \$24,000 to the Center's operating budget. The total amount of the operating budget for 2006/7 is \$254,800. The Loaves and Fishes contract was renewed in June to provide programs/services for another five years.</p> <p>Loaves and Fishes and the City of Tigard have partnered since the mid-70's to provide seniors with meals and programming. Recently the City Council approved an application for a Community</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Development Block Grant to remodel and enlarge the Senior Center.</p> <p>Senior Center Director Gardner advised that since the August meeting with the City Council, they have added new activities and kitchen coordinators. She said the kitchen has been painted, noting careful selection of what improvements should be done in anticipation of remodeling. Loaves and Fishes has pledged \$100,000 for the Tigard Senior Center building remodeling project.</p> <p>Steering Committee Member Leet commented on how area youth have contributed to the Senior Center by helping with service projects and delivering meals. The youth are from the Key Club as well as young people from Study Hall. He said "...the kids are doing it because they want to..." The Fine Arts group from the high school is performing on Fridays.</p> <p>Steering Committee Member Magaurn works at Portland Community College (PCC) and reported on volunteer tutoring programs such as English as a second language. Tutoring is available in classroom settings and in one-on-one teaching. PCC students also help with Meals on Wheels and volunteer in the kitchen. The PCC program, in a recent peer review, was singled out as noteworthy because it also fosters community involvement. Ms. Maguarn thanked the City of Tigard for providing the classroom space.</p> <p>Steering Committee Member Stolk said she began volunteering at the Senior Center in 1974 when she was a student nurse. She commented on services available including blood pressure checks and foot care. The Senior Center is an inviting place; however, many are unaware of the services offered.</p> <p>Steering Committee Member Topf is a quilter and has been assisting at the Senior Center since 1981. Quilters come together for fellowship and quilts are raffled off for fundraising to benefit the Center. Other activities are offered, including a knitting group.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Steering Committee Member Boyce noted she began volunteering after she retired. She and her husband serve lunches and enjoy visiting with those who come to the Center.</p> <p>Steering Committee Member Hulmquist said she serves on the Site Committee and Garden Club. Because of the activities offered at the Center, it functions more like a community center. It gives people a place to go and she would like to see it grow.</p> <p>Steering Committee Member Seger said she helps with Meals on Wheels. In the region Loaves and Fishes now serves 5,000 meals per day and in a few years it is anticipated this will increase to 30,000. Not only does this program provide seniors with nutritious meals, it also helps prevent social isolation.</p> <p>The Senior Center will offer Thanksgiving Dinner for all who walk-in this year. A notice will be sent home with Tigard-area school children.</p> <p>New entrance signs at the Senior Center have been helpful in identifying the Center's location to passers-by. It is still surprising that there are a significant number of people who are unaware of the Center and this issue needs to be addressed.</p> <p>Tri-Met's Ride Connection service delivers people to the Senior Center's door.</p> <p>Senior Center Director Gardner expressed her appreciation for the wonderful relationship the Senior Center enjoys with the City of Tigard. She referred to the services provided by the City of Tigard Public Works Department.</p> <p>There was discussion on the Community Development Block Grant application and the plans for the upgrades to the Senior Center. Councilor Sherwood said she had raised issues earlier about the proposed plans because she wanted to make sure plans were adequate to serve the community for the next 10 to 15 years.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Mayor Dirksen acknowledged the importance of a good relationship between the City of Tigard and the Senior Center as the need for this service will continue to grow.</p> <p>(Councilor Harding arrived at 7:13 p.m.)</p> <p>Risk Manager Mills advised arrangements were being made to continue services during the remodel of the Center. It is possible that the Tigard Christian Church will provide some help with accommodations.</p>	
<p>3. Joint Meeting with the Budget Committee</p>	<p>Budget Committee Members present: Chair Mark Haldeman, Committee Member Jason Snider</p> <p>Finance Director Sesnon presented a summary on the status of the General Fund at the end of the fiscal year. Largely because of the lag that occurs between the time a position is vacant and when a position can be filled, the fiscal year ended with \$200,000 more in the General Fund than with what it started. Revenues were more than what was originally budgeted primarily because of higher-than-anticipated development activity. Finance Director Sesnon also reviewed areas where savings occurred within City departments.</p> <p>Staff will be updating the financial forecast over the next 60 days.</p> <p>The following documents, on file in the City Recorder's office, were reviewed with City Council:</p> <ul style="list-style-type: none"> ➤ FY 2005-06 Budget to Actual Analysis – General Funds ➤ FY 2005-06 Budget to Actual Analysis – General Fund Transfers <p>Some transfers did not occur; i.e., parkland purchases. Finance Director Sesnon advised the budget will be monitored carefully with regard to the revenues, expenditures, and the ending fund balances.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Revenues are trending downward significantly in the first quarter of this fiscal year because most of the property tax revenues will be received in November.</p> <p>Performance audit proposals were reviewed. The Financial Strategies Task Force had recommended that performance audits be done for the Library and the Police Department. Proposals were reviewed with the City Council and Budget Committee members present. There was concern noted about the cost variance between the bids quoted in the two Police audit proposals. Budget Committee Member Snider commented he was concerned that the lower bid might be underestimated and he did not want the audit to be superficial. Finance Director Sesnon said that Chief Dickinson had looked at the proposals and felt comfortable with low bidder Steve Winegar; however, more information will be obtained and provided to the City Council and Budget Committee about the audit for the Police Department.</p> <p>Finance Director Sesnon introduced the idea of an equipment replacement fund to spread out major equipment expenditures thereby avoiding expense "spikes" within certain fiscal years. Staff will prepare information for Budget Committee review.</p> <p>The urban renewal agency is a separate entity and will need to have its own Budget Committee. Staff suggested that the City of Tigard Budget Committee could be appointed to serve on the City Center Development Agency Budget Committee.</p> <p>Finance Director Sesnon reviewed the Strategic Technology Plan dated October 11, 2006. A copy of the Plan as well as the slides presented to the City Council and Budget Committee are on file in the City Recorder's office. Finance Director Sesnon said that this Plan presents a blueprint for current and future technology investments. He outlined the mission, strategic goals including efficiencies, reliability/security and better public access and customer service options.</p> <p>Finance Director Sesnon referred to a pilot project</p>	<p>Staff will proceed with the Library performance audit after references are checked.</p> <p>Staff will do more research to clarify the scope of work and estimated costs identified in the proposals for the Police Department performance audit. Staff will report their findings to the City Council and Budget Committee.</p> <p>Finance Director Sesnon advised that a cost matrix will be prepared and forwarded to the City Council.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>to be completed by the end of the year to allow police staff to access crime data. Some of this information will also be made available to the public.</p> <p>Finance Director Sesnon also advised of work towards implementing a citywide electronic document management system. Key points he noted were:</p> <ul style="list-style-type: none"> ➤ Implementation of a paperless office environment and resistance to change. ➤ Information must be accessible. ➤ Review is needed for forms processing. Currently, there are duplicative efforts between paper and electronic systems. ➤ Implement and support systems to manage records for Human Resources, Risk Management, and Police report writing. ➤ Ongoing staff training needs to be developed. ➤ Systems will be constructed to be reliable and secure. ➤ Look towards moving from Novell to a Microsoft Windows server. ➤ Application maintenance and support. ➤ Draft a comprehensive business interruption and continuity plan. ➤ Web subscription can be offered to the public inexpensively and will be available soon for Cityscape, agendas, and other notices. ➤ A fully automated online facilities reservation system to be implemented. 	
<p>4. Presentation of Tigard Community Profile – 2006 Edition</p>	<p>Community Development Director Coffee introduced this agenda item. Associate Planner Wyss presented the highlights of the Profile. A copy of the slide presentation is on file in the City Recorder's office.</p> <p>The Profile updates the 2003 Tigard Almanac. The plan is to update this information every year to provide accurate information in one convenient location for staff and the public. This information will be incorporated into the update of the Comprehensive Plan.</p> <p>Councilor Woodruff commented on the value of</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>this document and said that he would like for this to be available to everyone who wants it. Mayor Dirksen will be featuring the Profile in an upcoming Cityscape article. The 2006 Community Profile is available on the City's web page.</p> <p>Copies could be made available to neighborhood organizations, schools, Chamber of Commerce, and sent to individuals interested in employment in the City of Tigard.</p>	
5. Planned Development Code Amendments	<p>Planning Manager Bewersdorff introduced this agenda item. Associate Planner Farrelly presented the key points of the proposed Planned Development Code amendments. A copy of the slide presentation is on file in the City Recorder's office.</p> <p>The ordinance for planned development is a collection of flexible decision-making tools to enable development that is site specific and not mathematically prescribed. The presentation included:</p> <ul style="list-style-type: none"> ➤ The history of the planned development ordinance in the City of Tigard. ➤ An overview of activity by the Planned Development Code Review Committee. ➤ The current and the proposed purpose statement. ➤ The current and the proposed code approval process. ➤ The proposed concept plan approval criteria. ➤ The proposed detailed development plan approval criteria. ➤ Additional proposed language adding definitions. ➤ A review of non-code items: 1. Planning Commission Toolbox, 2. Examples for applicants for good neighborhood meeting materials, and 3. Update to fee schedule. ➤ The Planning Commission heard public testimony and made five minor revisions and then unanimously recommended approval to the City Council. ➤ Ernie Platt, Director of Local Government 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p data-bbox="451 239 1052 449">Affairs from the Home Builders Association, concurred with the suggested additions/changes reviewed at the September 18 Planning Commission meeting. A copy of Mr. Platt's October 4, 2006, letter is on file in the City Recorder's office.</p> <p data-bbox="402 491 1045 667">Planned Development Review Committee Chair Buehner noted that it took more than six months to develop the purpose statement. She also advised that there was a desire to transition new development to existing neighborhoods.</p> <p data-bbox="402 709 1045 877">There was discussion on the density bonus provisions. Planning Manager Bewersdorff advised that the opportunity to apply for a density bonus was scaled back from four situations to two possible types of circumstances.</p> <p data-bbox="402 919 1045 1163">In a discussion between Mayor Dirksen and Chair Buehner about when it would be better to apply the Development Code or to allow an applicant to use the Planned Development provisions, Chair Buehner noted it would be the responsibility of the developer to present the case for a planned development project.</p> <p data-bbox="402 1205 1052 1562">Councilor Wilson said that for the most part the proposed changes to the Planned Development Code were good; however, he noted concern that criteria was added that attempted to "design by code." For example, he cited the language regarding providing good solar access where possible, which is a great idea but has been shown to be impractical. Councilor Wilson said, in his opinion, a regulation should safeguard a public product rather than dictate the form of the product.</p> <p data-bbox="402 1604 1052 1877">Chair Buehner indicated understanding of Councilor Wilson's comments; however, she said the Committee was striving to urge developers to look at different options for structuring their projects. She noted the difference in the quality of work among developers and the Code identifies alternatives and gives some leverage the Planning Commission. Councilor Wilson said that the</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>regulator role should focus on minimizing off-site impacts and preserving natural resources. He said it does not work to try to legislate good design. Chair Buehner shared that some of the Committee members are interested in design review and the new Code language could serve as a pilot program. Councilor Wilson said simplicity in Code language would lead to clarity.</p> <p>Discussion followed about how the regulations would apply. Councilor Wilson indicated he was more inclined to agree to some of the language if it was discretionary.</p> <p>Mayor Dirksen advised that when he read the proposed Planned Development Code amendments, it was clear to him that the Committee and Planning Commission desired to specify regulations and also provide language to guide developers who were proposing Planned Developments. While this is a different approach than what he would have used, he said he would be willing to give it a try.</p> <p>Councilor Harding said she agreed the guidance language complicates the process, but suggested the Committee and Planning Commission were reacting to the types of development that have already occurred. Councilor Wilson, in response to an inquiry from Councilor Harding, said he would prefer to focus on the primary issues; e.g., impacts to surrounding neighborhood, tree protection, etc. He noted issues in the past with solar access regulations, which proved to be unworkable. He also had concerns about language suggesting a wind study. While these are well-intentioned proposals, he would prefer language be removed that does not accomplish something or provide a benefit.</p> <p>Associate Planner Farrelly noted the proposed amendments represent negotiation and trade-offs among committee members. Councilor Sherwood called attention to the makeup of the Planned Development Review Committee membership, which included those who have been critical of the planned development process in the past.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>In response to a question from Councilor Wilson, Planning Manager Bewersdorff advised that the new language is more bureaucratic as it endeavors to provide flexibility along with some restrictions.</p> <p>Councilor Woodruff commented on the criticism by some members in the community that the City is too easily swayed by what developers want. The intent is to get the word out to the development community that “we want to take more control.” Mayor Dirksen noted the amendments give the opportunity for the City to place requirements on development.</p> <p>Councilor Wilson said the language could be streamlined as it is now difficult to understand, contains ineffective provisions, and will be difficult to administer.</p> <p>Planning Manager Bewersdorff suggested the proposed amendments could be used as a pilot and evaluated as the Comprehensive Plan is reviewed. He said the Planned Development amendments, while tough to administer, were workable.</p> <p>Mayor Dirksen said the proposal had been reviewed by a citizen committee and the Planning Commission and he would like to see the new regulations applied to the next two or three planned developments to assess their effectiveness.</p> <p>Discussion followed on specific requirements such as minimum lot-width requirements, the possibility of more planned developments because of redevelopment and/or rezoning.</p> <p>The City Council legislative public hearing for the proposed amendments to the Planned Development sections of the Code is scheduled for October 24, 2006.</p>	
6. Enhanced Citizen Participation	<p>Assistant City Manager Newton presented the staff report on this agenda item. Highlights include:</p> <ul style="list-style-type: none"> ➤ Progress on the neighborhood program made with the assistance of the Committee for Citizen Involvement (CCI). Three pilot areas were 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>identified last December located in the Summerfield, Beaverton School District, and Metzger areas within the City of Tigard. Contacts were made with residents within these areas through a variety of methods including meetings held at schools and attending events and activities occurring for other reasons in the neighborhood. Of the 117 people contacted, 74 indicated they were interested in participating in the neighborhood program.</p> <ul style="list-style-type: none"> ➤ CCI will be assisting with ideas for partnering with neighborhoods to identify neighborhood issues. ➤ Neighborhood input will be solicited for the Community Investment Program (CIP). Needs for neighborhoods could be identified; e.g., sidewalks. ➤ Neighborhoods will be involved in the Neighborhood Watch and promoting the National Night Out. ➤ Discussions are being held with CCI to determine how to facilitate neighborhood input on land use issues. Neighborhood concerns could be shared by a neighborhood representative at the land use hearing. ➤ Improvements to the web page continue to be considered and implemented. One proposal would be to provide support for a "neighborhood" page, which could include school activities, crime statistics, and neighborhood news. ➤ The information provided through the Community Connector Program will be "rolled" into neighborhood websites. ➤ Other components of the neighborhood program include: <ul style="list-style-type: none"> ○ Community Emergency Response Team volunteers from each neighborhood. ○ Community unity building through beautification and clean-up projects. ○ Solicit input from the neighborhoods for the Comprehensive Plan Update. ○ School liaisons to provide information on school events and needs. <p>The CCI will monitor the neighborhood program</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)										
	<p>and communicate with staff about what is or is not working.</p> <p>Next steps will be to contact a primary group of people within the pilot areas and conduct research on website designs. The CCI will evaluate the program.</p> <p>There was discussion about the information that could be offered on neighborhood websites including names of CERT volunteers, crime statistics, and land use activity.</p>											
Non Agenda	<p>Council tentatively set its goal-setting meeting for December 11, 1-5 p.m. Staff will ask for written recommendations on next year's Council goals from Board and Committee chairs.</p> <p>Updates on TriMet service and the Oregon Department of Transportation will be scheduled for a Council meeting by the end of this year.</p>											
Adjournment	<p>The meeting adjourned at 9:55 p.m.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adjourn the meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	Yes											
Councilor Harding	Yes											
Councilor Sherwood	Yes											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											

Attest:

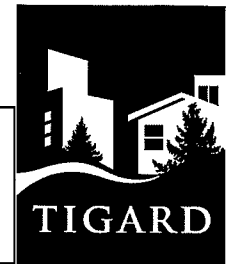
Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

i:\adm\cathylccm\2006\061017.doc

Agenda Item No. 3.1.c
For Agenda of 11-28-06



Tigard City Council Meeting Minutes

Date: October 24, 2006
Time: 6:30 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Executive Session	<p>The Tigard City Council went into Executive Session at 6:30 p.m. to discuss real property transaction negotiations and pending litigation with legal counsel under ORS 192.660(2)(e) and (h).</p> <p>Executive Session concluded at 7:10 p.m.</p>	
Study Session		
Review the Town Hall Audio/Visual Design Report from New World Audio/Video and Provide Staff with Direction.	<p>IT Director Ehrenfeld and New World Audio Video Consultant Cudy reviewed this item with the City Council.</p> <p>A supplement to the System Design Report was presented to the City Council and a copy is on file in the City Recorder's office. Following are the highlights of the review with the Council:</p> <ul style="list-style-type: none">➤ Recommendation that the system be wired; no wires will be visible. Wireless is not as reliable.➤ Reviewed the recording station equipment. Two systems were mentioned: Granicus and FTR Gold. FTR Gold is a good system and would cost less than \$5,000.➤ Wireless microphones were reviewed with attention called to the information presented on Page 8 of the staff report. <p>Councilor Woodruff commented that he supports an improvement to the sound system but wants the</p>	<p>City Council consensus was for IT Director Ehrenfeld to work with Mr. Cudy and select the upgrades for the Audio/Visual system.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>expenditures to stay within the budgeted amount. Councilor Wilson concurred with Councilor Woodruff.</p> <p>City Manager Prosser suggested that if additional upgrades are desirable over this year's budgeted amount, they could be submitted for consideration during next year's budget process.</p>	
Administrative Items	<ul style="list-style-type: none"> ➤ The October 31, 2006, 5th Tuesday meeting has been cancelled. ➤ Mayor Dirksen advised he plans to attend the National League of Cities (NLC) Conference in December. Councilor Harding said she would like to attend the leadership training classes offered before the regular NLC conference sessions. Council Candidate Gretchen Buehner said she would like to attend the NLC Conference if she is elected in November. ➤ Community Development Director Coffee distributed a memorandum dated October 24, 2006, regarding "MTIP Public Involvement Strategy." A copy is on file in the City Recorder's office. ➤ City Manager Prosser advised that TriMet General Manager Fred Hansen will meet with the City Council on December 19, 2006. 	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and the Local Contract Review Board to order at 7:35 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, Wilson, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports:</p> <p>Mayor Dirksen announced that the October 31, 2006, Fifth Tuesday City Council meeting has been cancelled.</p> <p>1.5 Call to Council and Staff for Non-Agenda Items: None</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
2. Proclamations	<p>Mayor Dirksen announced the following proclamations. He advised he was recognizing National Magic Week and called attention to the contributions made by the Society of American Magicians to community programs such as the Police D.A.R.E. camp. Mayor Dirksen advised that the local Make a Difference Day was held last Saturday. Volunteers planted 80 trees within the community and Team Tigard picked up 17 bags of litter along Hall Boulevard.</p> <p>2.1 Proclaim the Week of October 25-31, 2006, as National Magic Week</p> <p>2.2 Proclaim October 28, 2006, as Make a Difference Day</p>	
3. Citizen Communications	<ul style="list-style-type: none"> Report from the Tigard Area Chamber of Commerce Representative Sue Wirick. Ms Wirick noted that Executive Director Jeremy Monlux has been with the Chamber of Commerce for a year now and noted his contributions including membership growth. She reviewed Chamber events including the Leadership Program and Professional Development Program. Ms. Wirick advised there will be an outreach to the business community event in January. <p>Councilor Sherwood noted Leadership Seminar students were at the homeless shelter recently and said it was a great session.</p> <ul style="list-style-type: none"> Dick Franzke, 14980 SW 133rd Avenue, unincorporated Bull Mountain testified in response to comments made by Councilor Wilson at the October 10, 2006, City Council meeting relating to the Cach Creek Annexation. A written copy of Mr. Franzke's comments is on file in the City Recorder's office. He said Councilor Wilson's remarks were unnecessarily personal and said that statements made by City officials that annexations have always been consensual were false. An annexation cannot be regarded as voluntary or consensual when sewer lines will not be extended to properties unless the 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>property owner annexes or signs a consent to annex. He suggested the City Council owes the public apologies and admit that the City forces annexations.</p> <p>Councilor Wilson conceded that his remarks toward Mr. Franzke were personal, but were made in response to previous public testimony by Mr. Franzke questioning the “decency” of the Council. With regard to whether annexations are consensual, Councilor Wilson said he believes it is fair to enter into an agreement with a property owner for public services.</p> <p>Councilor Wilson said that no systems development charges for parks had ever been collected outside of the City’s boundaries. Mr. Franzke said he made the comment that money had gone back and forth between the City and County and gave as an example traffic impact fees collected in the unincorporated area that were spent within the City of Tigard.</p> <p>Councilor Wilson pointed out with regard to developing parks that previously the City Council’s “hands were tied” with regard to buying property outside of the City boundaries. This situation recently changed and the City had moved forward.</p> <p>In response to a comment from Mr. Franzke saying that the City of Tigard managed the unincorporated Bull Mountain area for nine years, Councilor Wilson said the City of Tigard has never managed that area.</p> <p>Although disagreeing about the nature of public comments by Mr. Franzke in the past, Councilor Wilson said he appreciated hearing from Mr. Franzke.</p>	
4. Consent Agenda	<p>Mayor Dirksen reviewed the Consent Agenda before the City Council:</p> <p>4.1 Approve Council Minutes for September 19 and 26, 2006</p> <p>4.2 Approve City Center Advisory Commission</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff, to approve the Consent Agenda.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>(CCAC) By Laws -- Resolution No. 06-64</p> <p>RESOLUTION NO. 06-64 – A RESOLUTION ADOPTING THE CITY CENTER ADVISORY COMMISSION (CCAC) BY LAWS</p> <p>4.3 Establish a Citizen Advisory Committee to Guide the Preparation of the Highway 99W Corridor Improvement and Management Plan and Appoint Members to the Committee – Resolution No. 06-65</p> <p>RESOLUTION NO. 06-65 – A RESOLUTION ESTABLISHING A CITIZEN ADVISORY COMMITTEE TO GUIDE THE PREPARATION OF THE HIGHWAY 99W CORRIDOR IMPROVEMENT AND MANAGEMENT PLAN AND APPOINTING MEMBERS TO THE COMMITTEE</p> <p>(Note: The following Citizen Advisory Committee members said they planned to be present at tonight's meeting: Jesse Black, William Moss, Steve Boughton, Tim McGilvrey, Cherree Weeks, and Sue Carver. Mayor Dirksen requested that Committee members come forward and he presented them with a City of Tigard logo pin.)</p> <p>4.4 Local Contract Review Board</p> <p>a. Award Architectural Services Contract for the Water Building Remodel to LRS Architects, Inc. and Authorize the City Manager to Sign the Contract</p> <p>4.5 Appoint Library Board Alternate Karen Levear to the Library Board – Res. No. 06-66</p> <p>RESOLUTION NO. 06-66 – A RESOLUTION FOR THE FOLLOWING APPOINTMENT TO THE LIBRARY BOARD: KAREN LEVEAR</p>	<p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>
5. Legislative Public Hearing	City Attorney Ramis explained the rules of procedure for this legislative hearing.	

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>to Consider Revisions to the Community Development Code Relating to Planned Developments (DCA 2006-00003)</p>	<p>There were no declarations or challenges.</p> <p>Mayor Dirksen opened the public hearing.</p> <p>Associate Planner Farrelly presented the staff report. Council previewed the proposed revisions at its October 17, 2006, meeting. He advised that on October 23 a development consultant sent an e-mail registering strong objections to several aspects of the code amendment. One objection was that the requirements of open space and landscaping were confusing.</p> <p>Staff recommended that the City Council adopt the proposed ordinance.</p> <p>In response to a comment by Councilor Woodruff, Associate Planner Farrelly and Planning Manager Bewersdorff confirmed that the Planned Development Code process is voluntary. Planning Manager Bewersdorff said that the Planned Development regulations will be more difficult for a developer to follow, but the Planning Commission will have some ability to work with the developer on proposed projects. If a developer chooses not to use the Planned Development process, the normal subdivision process would be available.</p> <p>Some areas within the city are now designated as Planned Developments, so a zone change would be necessary to use another development process.</p> <p>During discussion City Council agreed with City Attorney Ramis about a revision to the following section:</p> <ul style="list-style-type: none"> • Section 18.350.070 3. f. (2) to be revised as follows: <p>“The exception is necessary for adequate identification of the use <u>visibility of the sign</u> and...”</p> <p>This change was made at the request of City</p>	<p>Council agreed that language be amended as recommended by City Attorney Ramis for Section 18.350.070 3. f. (2) as shown in the column to the left.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)										
	<p>Attorney Ramis who advised he was concerned that the proposed wording might lead to regulating language content of a sign, which is unconstitutional.</p> <p>Mayor Dirksen closed the public hearing.</p> <p>Mayor Dirksen announced the City Council would be considering Ordinance No. 06-16 with the revision noted by City Attorney Ramis.</p> <p>Councilor Sherwood noted her appreciation to the volunteers who served for two years on the Committee to propose these changes to the Planned Development section of the Code.</p> <p>Councilor Woodruff said he was heartened that the Committee, made up of diverse interests within the community, as well as the Home Builders Association, had been able to reach a compromise to produce the recommended changes to the Planned Development provisions.</p> <p>Councilor Wilson noted he had raised concerns about areas of the proposed ordinance at the City Council meeting last week. Councilor Wilson said the proposed ordinance contained language which was far better than it was before, but he still had concerns with two areas. He called attention to Page 7, of the "Clean Copy" (Attachment 2 in the Council meeting packet.) The citation of the code section he was referring to was 18.350.060 B. 4. He said it was unlikely that this section would ever be used. During discussion, Mayor Dirksen noted he thought this language might be related to the Metro Code because it relates to a designated town or regional center.</p> <p>The second area of concern noted by Councilor Wilson was 18.350.070 A. 4. g. (Page 12 of 15 of the "Clean Copy" (Attachment 2 in the Council meeting packet.) Councilor Wilson said it was confusing as to what would be gained by having</p>	<p>Motion by Councilor Wilson, seconded by Councilor Woodruff, to amend the proposed language by deleting 18.350.060 B. 4. in its entirety.</p> <p>The motion was approved by a majority vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>No</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>No</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table> <p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to eliminate Section 18.350.070 A 4. g.</p> <p>The motion was approved by a</p>	Mayor Dirksen	No	Councilor Harding	Yes	Councilor Sherwood	No	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	No											
Councilor Harding	Yes											
Councilor Sherwood	No											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>this section as it relates to crime prevention. He noted there are times that shrubs are a problem as far as crime prevention is concerned. Councilor Harding noted more issues might arise as an area is developed more densely. Planning Manager Bewersdorff responded to a question from Mayor Dirksen and confirmed that the Police Department had reviewed this language. City Attorney Ramis noted some issues with the way the language was written because terms such as "semi public" would need to be defined. City Attorney Ramis also advised that because of the word "shall" in the language, the City must express clearly defined requirements in written findings.</p> <p>City Council considered the proposed ordinance with the amendments as noted.</p> <p>ORDINANCE NO. 06-16 – AN ORDINANCE AMENDING THE LANGUAGE TO THE TIGARD COMMUNITY DEVELOPMENT CODE, CHAPTERS 18.120 AND 18.350, TO CREATE A NEW PURPOSE STATEMENT, APPROVAL PROCESS, APPROVAL CRITERIA, AND OTHER REVISIONS FOR PLANNED DEVELOPMENTS AND TO ADD RELATED DEFINITIONS (DCA 2006-00003) AS AMENDED</p>	<p>unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p> <p>Motion by Councilor Woodruff, seconded by Councilor Sherwood to adopt Ordinance No. 06-16, as amended.</p> <p><i>(City Recorder's Note: Amendments were:</i></p> <ol style="list-style-type: none"> <i>1. Section 18.350.070 3.f. (2) to be changed as follows:</i> <p><i>"The exception is necessary for adequate identification of the use <u>visibility of the sign</u> and..."</i></p> <ol style="list-style-type: none"> <i>2. Section 18.350.060 B. 4. as presented in the draft ordinance to be eliminated.</i> <i>3. Section 18.350.070 A 4. g. as presented in the draft ordinance to be eliminated.)</i> <p>Discussion on the motion:</p> <p>Mayor Dirksen advised he has long looked forward to amending this section of the Code. He said he believed the new language is sufficiently flexible and that he will vote in favor of the ordinance.</p> <p>Councilor Wilson agreed the new Code language has been a long-time coming and</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
		<p>noted his appreciation for the work that has gone into developing the amendments.</p> <p>Councilor Harding agreed that the proposed ordinance represented years of work and added that now they, as a City Council, need to “stand behind” this new legislation.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>
<p>6. Consider an Ordinance to Add Section 1.12.050 to the Tigard Municipal Code (TMC) to Authorize Submission of Explanatory Statements by the City of Tigard for Inclusion in the Washington County Voters’ Pamphlet for Matters Submitted to Voters Under the Referendum or Initiative Powers by Petition.</p>	<p>City Recorder Wheatley presented the staff report. State law permits a governing body to issue explanatory statements for matters relating to municipal legislation referred or initiated by petition if the governing body has passed an ordinance to do so. The proposed ordinance would authorize the City Attorney, City Manager, or City Recorder to prepare an explanatory statement in the situations described above.</p> <p>Mayor Dirksen registered his concern that requiring cities to pass such an ordinance “flies in the face of Home Rule.” City Attorney Ramis said that the concept of Home Rule in Oregon has eroded whereby local voters have the right to choose their own government and rules. If challenged, the decision to require this ordinance could lead to substantial debate. Explanatory statements are neutral and may not take a position on a ballot measure.</p> <p>Council considered Ordinance No. 06-17:</p> <p>AN ORDINANCE ADDING SECTION 1.12.050 TO THE TIGARD MUNICIPAL CODE TO</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Ordinance No. 06-17.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)										
	AUTHORIZE SUBMISSION OF EXPLANATORY STATEMENTS BY THE CITY OF TIGARD FOR INCLUSION IN THE WASHINGTON COUNTY VOTERS PAMPHLET FOR MATTERS SUBMITTED TO THE VOTERS RELATING TO MUNICIPAL LEGISLATION UNDER THE REFERENDUM OR INITIATIVE POWERS BY PETITION											
7. Consider an Ordinance to Repeal Ordinance No. 00-33 Providing a Process for Claims Filed as a Result of Ballot Measure 7 Subsequently Invalidated by the Oregon Supreme Court.	<p>City Manager Prosser presented the staff report. The proposed ordinance is a “housekeeping” request for action from the City Council. Ordinance No. 00-33 was never codified, nor could it have been implemented because the Oregon Supreme Court ruled that the ballot measure referred to in Ordinance No. 00-33 was invalid. The ordinance should have been repealed.</p> <p>City Council considered Ordinance No. 06-18.</p> <p>AN ORDINANCE REPEALING ORDINANCE NO. 00-33, WHICH PROVIDED A PROCESS FOR MAKING CLAIMS UNDER ARTICLE I, SECTION 18 OF THE OREGON CONSTITUTION IN RESPONSE TO VOTER APPROVAL OF BALLOT MEASURE 7 IN THE NOVEMBER 2000 ELECTION; SUBSEQUENTLY BALLOT MEASURE 7 WAS INVALIDATED BY THE OREGON SUPREME COURT ON OCTOBER 4, 2002</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff, to adopt Ordinance No. 06-18.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	Yes											
Councilor Harding	Yes											
Councilor Sherwood	Yes											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											
8. Third Quarter Council Goal Update	<p>City Manager Prosser reviewed the staff report.</p> <p>Brief summaries of the progress made on the goals for this year are on file in the City Recorder's office.</p> <p>Mayor Dirksen referred to the upcoming ballot measure for libraries. He has met with members of the Youth Advisory Council and noted that several students have been canvassing the City urging support of the library measure.</p> <p>City Manager Prosser noted that since the progress report of goals was written, work has begun on the performance audit of the Library. Additional information was requested with regard to the Police</p>											

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Department audit and it is anticipated this audit will soon be underway.</p> <p>The Technology Strategic Plan was introduced to the Council last week.</p> <p>Mayor Dirksen noted significant progress has been made on the City Council goals.</p>	
Announcements	<ul style="list-style-type: none"> ➤ No City Council meeting on November 7, 2006 (election night). ➤ Free Fall Leaf Pick-Up at City of Tigard occurring on the first three weekends of November. Participants are also encouraged to bring canned-food donations. 	
Adjournment	The meeting adjourned at 9:11 p.m.	<p>Motion by Councilor Woodruff, seconded by Councilor Harding, to adjourn the meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

i:\admicath\lccm\2006\061024.doc

Agenda Item #
Meeting Date

3.2
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #6 to the FY 2006-07 Budget to Increase Appropriations in the Water Quality/Quantity Fund Capital Projects budget within the Community Investment Program for Additional Funding for the Hiteon Creek Riparian Enhancement Project.

Prepared By: Michelle Wareing Dept Head Approval: MB City Mgr Approval: CL

ISSUE BEFORE THE COUNCIL

Shall the City Council approve Budget Amendment #6 to increase appropriations in the Water Quality/Quantity Fund Capital Projects budget for additional funding for the Hiteon Creek Riparian Enhancement project?

STAFF RECOMMENDATION

Staff recommends approval of Budget Amendment #6.

KEY FACTS AND INFORMATION SUMMARY

The FY 2006-07 Community Investment Program includes \$90,000 for the Hiteon Creek Riparian Enhancement project. This project constructs riparian enhancement features, including modifications of riparian buffer areas to promote treatment of high flows. It also includes placement of large woody debris and minor channel improvements.

Staff is requesting an additional \$18,474 for this project. The FY 2005-06 budget had included funding for the design and permitting of this project with actual construction to be done in FY 2006-07. Due to backlogs at the Corp of Engineers, the necessary permits have been delayed. Therefore, the permit expenses will be incurred in FY 2006-07, which were unanticipated. This budget amendment will transfer \$18,474 from the Water Quality/Quantity Fund contingency to the Water Quality/Quantity Capital Projects budget. The total amount of appropriations for the Hiteon Creek Riparian Enhancement project will be \$108,474 after the budget amendment.

OTHER ALTERNATIVES CONSIDERED

Do not approve Budget Amendment #6. The Water Quality/Quantity Capital Projects budget may or may not be overspent.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

None

ATTACHMENT LIST

Resolution including Attachment A.
Memo from Carla Staedter to Dennis Koellermeier.

FISCAL NOTES

This resolution transfers \$18,474 from the Water Quality/Quantity Fund Contingency to the Water Quality/Quantity Fund Capital Projects budget for the additional funding for the Hiteon Creek Riparian Enhancement project.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION APPROVING BUDGET AMENDMENT #6 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE WATER QUALITY/QUANTITY FUND CAPITAL PROJECTS BUDGET WITHIN THE COMMUNITY INVESTMENT PROGRAM FOR ADDITIONAL FUNDING FOR THE HITEON CREEK RIPARIAN ENHANCEMENT PROJECT.

WHEREAS, the FY 2005-06 budget included funding for the design and permitting of the Hiteon Creek Riparian Enhancement project; and

WHEREAS, permits were delayed due to backlogs at the Corp of Engineers; and

WHEREAS, the permit costs will incurred in FY 2006-07; and

WHEREAS, the FY 2006-07 budget includes funding for only the construction costs of the project and not the permits; and

WHEREAS, it is now necessary to amend the FY 2006-07 Budget to increase appropriations in Water Quality/Quantity Fund capital projects to pay for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2006-07 Budget is hereby amended as shown in Attachment A to this resolution to transfer \$18,474 from the Water Quality/Quantity Fund contingency to the Water Quality/Quantity capital projects to pay for the permits.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Attachment A
FY 2006-07
Budget Amendment # 6

FY 2006-07 Adopted Budget	Budget Amendment # 6	Adopted Revised Budget
---------------------------------	----------------------------	------------------------------

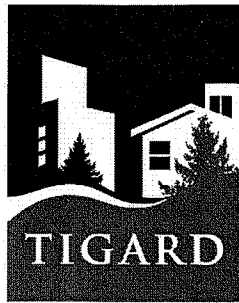
Water Quality/Quantity Fund

Resources

Beginning Fund Balance	\$1,848,835		\$1,848,835
Development Fees & Charges	59,850		59,850
Interest Earnings	40,000		40,000
Transfers In from Other Funds	0		0
Total	\$1,948,685	\$0	\$1,948,685


Requirements

Community Service Program	\$0		\$0
Public Works Program	0		0
Community Development Program	0		0
Policy & Administration Program	0		0
General Government	0		0
Program Expenditures Total	\$0	\$0	\$0
Debt Service	\$0		\$0
Capital Projects	\$340,000	\$18,474	\$358,474
Transfers to Other Funds	\$75,535		\$75,535
Contingency	\$47,250	(\$18,474)	\$28,776
Total Budget	\$462,785	\$0	\$462,785
Ending Fund Balance	1,485,900		1,485,900
Total Requirements	\$1,948,685	\$0	\$1,948,685



MEMORANDUM

TO: Dennis Koellermeier

FROM: Carla Staedter 

RE: Hiteon Creek/Harris Stream Service Contract

DATE: June 30, 2006

This memo is to request that funds be appropriated by a budget amendment in FY 06/07 in the amount of \$18,474.00 to complete work required under our current contract with Harris Stream Services.

Harris Stream Services is currently providing consulting services for permitting, design, and construction consultation of the Hiteon Creek outfall improvement project at Englewood Park. This is a Healthy Streams project due to go to construction in FY 06/07.

The project consists of 2 phases, (1) design/permitting and (2) construction/construction consultation. Phase 1 was originally budgeted for FY05/06, but due to permitting delays beyond our control (the result of back logs at the CORP of Engineers) we were unable to complete design and permitting in 05/06 and will need to appropriate funds forward for 06/07.

If you have any specific questions regarding this request, please contact me.

Agenda Item #

3.3

Meeting Date

November 28, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #7 to the FY 2006-07 Budget to Accept and Expend Bureau of Justice Grant Funds for the GREAT Program.

Prepared By: Michelle Wareing Dept Head Approval: RW City Mgr Approval: CR

ISSUE BEFORE THE COUNCIL

Shall the City Council approve Budget Amendment #7 to recognize the Bureau of Justice Grant revenue and increase appropriations in the Police Department budget for expenditure of the grant funds for the Gang Resistance Education and Awareness Training (GREAT) program.

STAFF RECOMMENDATION

Staff recommends approval of Budget Amendment #7.

KEY FACTS AND INFORMATION SUMMARY

On January 24, 2006, City Council gave approval for staff to apply for a Bureau of Justice grant for the GREAT program. It was anticipated that the City would receive \$50,000 in grant revenues as it had received this amount in the past. Staff budgeted the \$50,000 in grant revenues and corresponding expenditures in the FY 2006-07 budget.

The City has been notified that the City will actually be receiving \$205,796 in grant revenues with a required City match of \$22,866. The majority of these grant revenues will be used to pay the salaries and benefits of existing personnel involved in the GREAT program. These personnel expenditures were already included in the FY 06-07 budget.

This budget amendment officially recognizes the grant revenues of \$155,796, which is the amount in excess of the \$50,000 that was budgeted. It also increases appropriations in the Police by \$18,478, which is the difference between what was originally budgeted in FY 06-07 (including salaries and benefits) and what was approved to be paid for with grant revenues.

OTHER ALTERNATIVES CONSIDERED

Do not approve Budget Amendment #7.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Vision Task Force Goal – Public Safety

4. Police outreach – better communication with all citizens

ATTACHMENT LIST

Resolution including Attachment A.
Memo from Sheryl Huiras to Bill Dickinson

FISCAL NOTES

This resolution increases grant revenues in the General Fund by \$155,796 and increases appropriations in the Police Department Budget by 18,478. The majority of the grant revenues will be used to pay the salaries and benefits of existing officers whose costs were already appropriated in the FY 2006-07 budget.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION APPROVING BUDGET AMENDMENT #7 TO THE FY 2006-07 BUDGET TO ACCEPT AND EXPEND BUREAU OF JUSTICE GRANT FUNDS FOR THE GREAT PROGRAM

WHEREAS, the City Council approved the grant application for the Bureau of Justice grant at the January 24, 2006 Council meeting; and

WHEREAS, the Bureau of Justice has approved the grant in the amount of \$205,796 for the Gang Resistance Education and Awareness Training (GREAT) program; and

WHEREAS, the grant will be used to pay for program expenditures including the salaries and benefits of existing staff; and

WHEREAS, the FY 2006-07 Budget includes only \$50,000 in GREAT grant revenues, about \$73,000 in program expenditures, and \$137,318 in personnel costs; and

WHEREAS, it is necessary to amend the FY 2006-07 Budget to recognize the additional \$155,796 in grant revenues and to increase appropriations in the Police Department budget by \$18,478 to allow for the additional expenditure of these funds.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2006-07 Budget of the City of Tigard is hereby amended as shown in Attachment A to this resolution to increase General Fund grant revenues by \$155,796 and to increase appropriations in the Community Services Program (Police Department) by \$18,478.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Attachment A
FY 2006-07
Budget Amendment # 7

FY 2006-07 Adopted Budget	Budget Amendment # 7	Adopted Revised Budget
---------------------------------	----------------------------	------------------------------

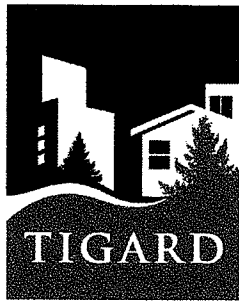
General Fund

Resources

Beginning Fund Balance	\$7,801,614		\$7,801,614
Property Taxes	10,225,860		10,225,860
Grants	166,334	155,796	322,130
Interagency Revenues	2,699,084		2,699,084
Development Fees & Charges	664,000		664,000
Miscellaneous Fees and Charges	307,325		307,325
Fines and Forfeitures	626,000		626,000
Franchise Fees and Business Tax	3,667,000		3,667,000
Interest Earnings	217,400		217,400
Other Revenues	26,000		26,000
Transfers In from Other Funds	2,707,028		2,707,028
Total	\$29,107,645	\$155,796	\$29,263,441

Requirements

Community Service Program	\$12,437,690	\$18,478	\$12,456,168
Public Works Program	2,977,412		2,977,412
Community Development Program	2,986,903		2,986,903
Policy & Administration Program	348,365		348,365
General Government	75,000		75,000
Program Expenditures Total	\$18,825,370	\$18,478	\$18,843,848
Debt Service	\$0		\$0
Capital Projects	\$0		\$0
Transfers to Other Funds	\$4,876,553		\$4,876,553
Contingency	\$1,000,000		\$1,000,000
Total Budget	\$24,701,923	\$18,478	\$24,720,401
Ending Fund Balance	4,405,722	137,318	4,543,040
Total Requirements	\$29,107,645	\$155,796	\$29,263,441



MEMORANDUM

TO: *umd* Bill Dickinson, Chief of Police

FROM: Sheryl Huiras, Youth Programs Manager

RE: GREAT Grant Budget Amendment

DATE: October 5, 2006

In FY 06-07 budget, we budgeted to receive a \$50,000 GREAT grant and budgeted program expenditures in the same amount. We have been awarded a grant from the Bureau of Justice for GREAT in the amount of \$205,796.00. This grant will be used for:

Personnel/Salary	\$91,044.67
Fringe Benefits	\$46,273.43
Travel	\$15,884.00
Supplies	\$14,844.10
Consultants/Contracts	\$27,000.00
Other	\$33,615.80

Total project costs are \$228,662.00. The grant is for \$205,796.00, the City's match is \$22,866.00.

As the majority of these expenditures are already included in the budget, this memo is to request a budget amendment for the difference, which is \$18,478.

Agenda Item #
Meeting Date

3.4
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #8 to the FY 2006-07 Budget to Increase Appropriations in the Gas Tax Fund Capital Projects for funding of the Preliminary Engineer's Report for the Proposed Local Improvement District (LID) for infrastructure improvements in the Tigard Triangle.

Prepared By: Michelle Wareing Dept Head Approval: Rob City Mgr Approval: cl

ISSUE BEFORE THE COUNCIL

Shall the City Council approve Budget Amendment #8 to increase appropriations in the Gas Tax Fund for funding of the Preliminary Engineer's Report for the proposed Local Improvement District (LID) for infrastructure improvements in the Tigard Triangle?

STAFF RECOMMENDATION

Staff recommends approval of Budget Amendment #8.

KEY FACTS AND INFORMATION SUMMARY

On February 28, 2006, City Council approved a resolution authorizing the preparation of a Preliminary Engineer's Report for the possible formation of a Local Improvement District (LID) to improve certain streets within the Tigard Triangle. Specht Development, Inc., who submitted the petition, deposited \$72,500 with the City to fund the preparation of the report. The deposit was receipted into the City's Gas Tax Fund.

Expenditures related to the Preliminary Engineer's Report are being incurred in FY 2006-07. The Gas Tax Fund does not include any appropriations for the Report as it was anticipated that the report would be completed in FY 2005-06. The FY 2006-07 Budget does include a new fund, Tigard Triangle LID #1, and expenditure appropriations for construction of LID. However, expenditures can only be charged to this fund if the City Council approves creation of the LID and the City issues a bond anticipation note to pay for the expenditures.

A budget amendment is needed to fund the Preliminary Engineer's Report expenditures that are being incurred in FY 2006-07. The Specht Development deposit will actually fund the cost of the report; however, for budgetary purposes, it is necessary to do a contingency transfer of \$72,500 from the Gas Tax Fund contingency to the Gas Tax Fund Capital Projects budget to appropriate the necessary funds.

OTHER ALTERNATIVES CONSIDERED

Do not approve Budget Amendment #8.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

By constructing improvements to upgrade the street infrastructure in the Tigard Triangle, the Local Improvement District (LID) would address the findings of the 2002 Tigard Transportation System Plan that identified the Tigard Triangle as an area where future transportation problems appear significant.

ATTACHMENT LIST

Resolution including Attachment A.

FISCAL NOTES

This budget amendment will transfer \$72,500 from the Gas Tax Fund contingency to the Gas Tax Capital Improvement Projects budget.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION APPROVING BUDGET AMENDMENT #8 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE GAS TAX FUND CAPITAL PROJECTS FOR FUNDING OF THE PRELIMINARY ENGINEER'S REPORT FOR THE PROPOSED LOCAL IMPROVEMENT DISTRICT (LID) FOR INFRASTRUCTURE IMPROVEMENTS IN THE TIGARD TRIANGLE.

WHEREAS, Specht Development Inc. has submitted a petition requesting the formation of a Local Improvement District (LID) to improve certain streets within the Tigard Triangle; and

WHEREAS, the City Council approved a resolution at the February 28, 2006 Council meeting authorizing the preparation of a Preliminary Engineer's Report; and

WHEREAS, Specht Development Inc. deposited \$72,500 with the City, which was receipted into the Gas Tax Fund, to pay for the Report; and

WHEREAS, it was anticipated that the Preliminary Engineer's Report would be completed in FY 2005-06; and

WHEREAS, the FY 2006-07 Budget does not include appropriations for expenditures related to the Preliminary Engineer's Report preparation; and

WHEREAS, the City is incurring expenditures in FY 2006-07 for preparation of the Preliminary Engineer's Report; and

WHEREAS, it is necessary to amend the FY 2006-07 Adopted Budget to increase appropriations to fund the preparation of the Preliminary Engineer's Report.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2006-07 Budget is hereby amended as shown in Attachment A to this resolution to transfer \$72,500 from the Gas Tax Fund contingency to the Gas Tax Capital Improvement Projects budget.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Attachment A
FY 2006-07
Budget Amendment #8

FY 2006-07 Revised Budget	Budget Amendment # 8	Revised Revised Budget
---------------------------------	----------------------------	------------------------------

Gas Tax Fund

Resources

Beginning Fund Balance	\$2,527,366		\$2,527,366
Grants	228,025		228,025
Interagency Revenues	2,393,000		2,393,000
Development Fees & Charges	18,000		18,000
Interest Earnings	35,000		35,000
Other Revenues	127,642		127,642
Transfers In from Other Funds	0		0
Total	\$5,329,033	\$0	\$5,329,033

Requirements

Community Development Program	460,000		460,000
Program Expenditures Total	\$460,000	\$0	\$460,000
Debt Service	\$0		\$0
Capital Projects	\$3,035,000	\$72,500	\$3,107,500
Transfers to Other Funds	\$1,582,352		\$1,582,352
Contingency	\$250,000	(\$72,500)	\$177,500
Total Budget	\$5,327,352	\$0	\$5,327,352
Ending Fund Balance	1,681		1,681
Total Requirements	\$5,329,033	\$0	\$5,329,033

Agenda Item #
Meeting Date

3.5
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #9 to the FY 2006-07 Budget to Correct Budget Amendment #2's Resolution No. 06-49 Attachment A to the Resolution.

Prepared By: Michelle Wareing Dept Head Approval: PLS City Mgr Approval: CP

ISSUE BEFORE THE COUNCIL

Shall the City Council approve Budget Amendment #9 which will correct the error in Attachment A to Resolution No. 06-49 that was approved by Council on August 8, 2006?

STAFF RECOMMENDATION

Staff recommends approval of Budget Amendment #9.

KEY FACTS AND INFORMATION SUMMARY

On August 8, 2006, City Council approved Resolution No. 06-49, which was for Budget Amendment #2. This budget amendment transferred \$25,000 from the Parks Capital Fund contingency to the Parks Capital Projects budget to fund the Northview Park play structure. Everything regarding the budget amendment and resolution were correct except for Attachment A to the resolution. Attachment A showed the decrease in the contingency by \$25,000, but it did not show the \$25,000 increase in the Parks Capital Projects budget.

Staff consulted the City Attorney, who recommended that a budget amendment be done to correct the error in Attachment A as the incorrect Attachment A could not just be replaced with a corrected one. This budget amendment will correct the error in Attachment A to Resolution No. 06-49.

OTHER ALTERNATIVES CONSIDERED

None

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

None

ATTACHMENT LIST

Resolution including Attachment A.

FISCAL NOTES

This resolution will correct Attachment A to Resolution No. 06-49 by showing a transfer of \$25,000 from the Parks Capital Fund contingency to the Parks Capital Projects budget.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION APPROVING BUDGET AMENDMENT #9 TO THE FY 2006-07 BUDGET TO CORRECT BUDGET AMENDMENT #2'S RESOLUTION NO. 06-49 ATTACHMENT A TO THE RESOLUTION.

WHEREAS, on August 8, 2006, City Council approved Budget Amendment #2 and its Resolution No. 06-49; and

WHEREAS, the intent of this budget amendment was to decrease the Parks Capital Fund contingency and increase the Parks Capital Projects budget to fund the Northview Park play structure; and

WHEREAS, there was an error in Attachment A to Resolution No. 06-49; and

WHEREAS, the City Attorney recommended that a budget amendment be done to correct the error; and

WHEREAS, it is necessary to correct Budget Amendment #2's Attachment A to the resolution and the FY 2006-07 Budget by increasing appropriations in the Parks Capital Projects budget and decreasing the Parks Capital Fund Contingency.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2006-07 Budget and Resolution No. 06-49 is hereby amended as shown in Attachment A to this resolution to transfer \$25,000 from the Parks Capital Fund contingency to the Parks Capital Projects budget to fund the play structure at Northview Park.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Attachment A
FY 2006-07
Budget Amendment # 9

FY 2006-07 Revised Budget	Budget Amendment #9	Revised Revised Budget
---------------------------------	---------------------------	------------------------------

Parks Capital Fund

Resources

Beginning Fund Balance	\$343,216		\$343,216
Grants	454,101		454,101
Development Fees & Charges	10,000		10,000
Interest Earnings	15,000		15,000
Other Revenues	40,000		40,000
Transfers In from Other Funds	2,088,252		2,088,252
Total	\$2,950,569	\$0	\$2,950,569

Requirements

Program Expenditures Total	\$0	\$0	\$0
Debt Service	\$282,025		\$282,025
Capital Projects	\$2,457,876	\$25,000	\$2,482,876
Transfers to Other Funds	\$0		\$0
Contingency	\$150,000	(\$25,000)	\$125,000
Total Budget	\$2,889,901	\$0	\$2,889,901
Ending Fund Balance	60,668		60,668
Total Requirements	\$2,950,569	\$0	\$2,950,569

Agenda Item #

3.6

Meeting Date


November 28, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Appoint Dennis Sizemore to the Tree Board as a Voting Citizen Member

Prepared By: Dennis Koellermeier

Dept Head Approval: 

City Mgr Approval: CR

ISSUE BEFORE THE COUNCIL

The Council is being asked to appoint Dennis Sizemore to the Tree Board.

STAFF RECOMMENDATION

Approve the resolution making the appointment.

KEY FACTS AND INFORMATION SUMMARY

- Dennis Sizemore was appointed to the Tree Board as a citizen member alternate in April 2006.
- With the resignation of Scott Deselle, a voting citizen member vacancy exists on the Tree Board.
- The Mayor has indicated he would like Mr. Sizemore to complete Mr. Deselle's unexpired term and become a voting citizen member of the Board. Mr. Sizemore has expressed his willingness to serve on the Board in this capacity.
- With the passage of the attached resolution, Mr. Sizemore will be appointed to complete Mr. Deselle's term which expires on May 31, 2010.

OTHER ALTERNATIVES CONSIDERED

Do not approve the resolution and provide staff with direction on some other course of action.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Tigard Beyond Tomorrow: Community Character & Quality of Life

Volunteerism Goal #1: City will maximize the effectiveness of the volunteer spirit to accomplish the greatest good for our community.

ATTACHMENT LIST

1. Resolution
2. Appointee Background Information

FISCAL NOTES

No costs are associated with this action.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION APPOINTING DENNIS SIZEMORE TO THE TREE BOARD AS A VOTING CITIZEN MEMBER

WHEREAS, Mr. Sizemore currently serves as a citizen member alternate on the Tree Board; and

WHEREAS, with the resignation of Mr. Deselle, a voting citizen member vacancy now exists on the Board; and

WHEREAS, Mayor Dirksen has indicated he would like Mr. Sizemore to complete Mr. Deselle's unexpired term and become a voting citizen member of the Board; and

WHEREAS, Mr. Sizemore has expressed his willingness to serve on the Board as a voting citizen member.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Mr. Sizemore is appointed to complete Mr. Deselle's term which expires on May 31, 2010.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

**City of Tigard Tree Board
Appointee Background Information**

November 28, 2006

Dennis Sizemore – At the November 28 Tigard City Council meeting, Dennis Sizemore will be recommenced for appointment to the Tree Board voting citizen member position formally held by Scott Deselle. Mr. Sizemore is a retired school administrator and currently serves as adjunct staff at Concordia College in Portland. He is a former officer with the Confederation of School Administrators and holds a Bachelor of Science degree in Education and a Master of Science degree in Secondary Education. His new Tree Board term runs through 5/31/10.

Agenda Item #
Meeting Date

3.7
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Planned Developments Fee Increase

Prepared By: Sean Farrelly Dept Head Approval:  City Mgr Approval: 

ISSUE BEFORE THE COUNCIL

Shall the City Council approve a resolution to amend the Master Fees and Charges Schedule and update the Planned Developments Fee Schedule?

STAFF RECOMMENDATION

Staff recommends that Council adopt the resolution.

KEY FACTS AND INFORMATION SUMMARY

On October 24, 2006, Council adopted a Code Amendment (DCA2005-00004) revising the Planned Developments chapter of the Development Code. The amendment changes the procedure, requiring two Type III-Planning Commission reviews, one for the Concept Plan and another for the Detailed Plan. (Previously only the Concept Plan review was a Type III.) This will result in an increase in staff time required to process PD applications. The applicant can choose to have the two plans reviewed concurrently.

The current fees for a Planned Development are as follows:

Conceptual Plan Review: \$6,980.00

Detailed Plan Review: Applicable SDR or Subdivision Fee

The new fee schedule will take into account the new review requirements and will depend on whether the applicant wishes to have separate or concurrent Planning Commission hearings. The new fee schedule would be as follows:

Concept Plan Review: \$7,260.00

Detailed Plan Review (concurrent hearing): Applicable SDR or Subdivision Fee + \$200.00

Detailed Plan Review (separate hearing): Applicable SDR or Subdivision Fee + \$2,138.00

OTHER ALTERNATIVES CONSIDERED

To not increase the fee schedule.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

N/A

ATTACHMENT LIST

Attachment 1: Resolution

Exhibit A: City of Tigard Fees and Charges Schedule

FISCAL NOTES

The increased fee will recover the costs of the additional staff time to administer the new Planned Development process.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION AMENDING RESOLUTION NO. 06-36 BY AMENDING EXHIBIT A
THERETO AND INCREASING THE PLANNED DEVELOPMENT FEE

WHEREAS, the Planned Developments section of the Development Code was amended, changing
the review procedure;

WHEREAS, the new procedure will increase the staff time necessary to administer the applications;

WHEREAS, the City Council has directed staff to adjust fees to recover the cost of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1. Resolution No. 06-36 is hereby amended by amending Exhibit A to that resolution to
read as shown in Exhibit A hereto and incorporated by this reference.

SECTION 2. This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Lot Line Adjustment</i>	\$468.00	7/1/2006
	<i>Minor Modification to an Approved Plan</i>	\$562.00	7/1/2006
	<i>Non-Conforming Use Confirmation</i>	\$265.00	7/1/2006
	<i>Planned Development</i>		
	Conceptual Plan Review	\$6,980.00	7/1/2006
		\$7,260.00	12/1/2006
	Detailed Plan Review	Applicable SDR Fee	7/1/2003
	Detailed Plan Review (Concurrent Hearing)	Applicable SDR or Subdivision Fee + \$200.00	12/1/2006
	Detailed Plan Review (Separate Hearing)	Applicable SDR or Subdivision Fee + \$2,138.00	12/1/2006
	<i>Plat Name Change</i>	\$266.00	7/1/2006
	<i>Pre-Application Conference</i>	\$362.00	7/1/2006
	<i>Sensitive Lands Review</i>		7/1/2006
	With Excessive Slopes/Within Drainage Ways/ Within Wetlands (Type II)	\$2,357.00	
	With Excessive Slopes/Within Drainage Ways/ Within Wetlands (Type III)	\$2,537.00	
	Within the 100-Year Floodplain (Type III)	\$2,537.00	
	<i>Sign Permit</i>		7/1/2006
	Existing and Modification to an Existing Sign (No Size Differential)	\$39.00	
	Temporary Sign (Per Sign)	\$19.00	

Agenda Item #

3.8

Meeting Date

November 28, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Amendment to Resolution No. 06-65 Revising the Membership of the Citizen Advisory Committee for the Highway 99W Corridor Improvement and Management Plan

Prepared By: A.P. Duenas Dept Head Okay TC City Mgr Okay CP

ISSUE BEFORE THE COUNCIL

Council will consider an amendment to revise the membership of the Citizen Advisory Committee (CAC) for the Highway 99W Corridor Improvement and Management Plan.

STAFF RECOMMENDATION

That Council approve the attached resolution amending Resolution No. 06-65.

KEY FACTS AND INFORMATION SUMMARY

Resolution No. 06-65 established a Citizen Advisory Committee to guide the preparation of the Highway 99W Corridor Improvement and Management Plan and appointed members to the committee. There is a need to revise the membership to include a member of CPO4B voted by that group to represent them. Tom Fergusson will be appointed as the CPO4B representative. A non-resident at-large position will be added to the membership and Marlece Watson, previously designated as the CPO4B representative in Resolution No. 06-65, will be appointed as the non-resident at-large member increasing the total membership from 11 to 12.

OTHER ALTERNATIVES CONSIDERED

None

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Reduction of traffic congestion and traffic circulation improvements meet the Tigard Beyond Tomorrow Transportation and Traffic goals of "Improve Traffic Flow" and "Improve Traffic Safety." Any land use changes that improve circulation and reduce traffic congestion likewise support those goals. In addition, improvements to the Highway 99W corridor support the 2006 Council goal to "Improve 99W Corridor."

ATTACHMENT LIST

Resolution Amending Resolution No. 06-65
Resolution No. 06-65

FISCAL NOTES

The total project amount is \$200,000. The amount of \$176,000 is funded from the TGM grant and \$24,000 is provided by the City through the Gas Tax Fund as local matching funds.

i:\eng\gus\council agenda summaries\new agenda summary format\10-10-06 commuter rail project update.doc

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION TO REVISE THE MEMBERSHIP OF THE CITIZEN ADVISORY COMMITTEE FOR THE HIGHWAY 99W CORRIDOR IMPROVEMENT AND MANAGEMENT PLAN BY AMENDING RESOLUTION NO. 06-65

WHEREAS, Resolution No. 06-65 established a Citizen Advisory Committee (CAC) to guide the preparation of the Highway 99W Corridor Improvement and Management Plan and appointed members to the committee; and

WHEREAS, there is a need to revise the membership to include a member of CPO4B voted by that group to represent them; and

WHEREAS, it is desirable that the member appointed to represent CPO4B in Resolution No. 06-65 be retained to serve as a non-resident at-large member of the community.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 06-65 is amended as follows:

- (1) Tom Fergusson is hereby appointed to represent CPO4B in the CAC; and
- (2) An additional position is created to serve as a non-resident at-large representative of the community, increasing the total membership to 12 members; and
- (3) Marlece Watson, designated in Resolution No. 06-65 as the CPO4B representative, is hereby appointed to serve as the non-resident at-large representative.
- (4) Exhibit A in Resolution No. 06-65 is revised to reflect the changes and is attached as "Revised Exhibit A" to this resolution.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

REVISED EXHIBIT A

Highway 99W Corridor Improvement and Management Plan

Citizen Advisory Committee

Rex Caffall (Planning Commission)

Paul Owen (Transportation Financing Strategies Task Force)

Tom Fergusson (CPO 4B)

Daniel Barnes (King City)

Jesse Black (Tigard Chamber of Commerce)

Roger Potthoff (Business along the Highway 99W corridor)

Cherree Weeks (Resident along the Highway 99W Corridor)

Tim McGilvrey (Biking Advocate)

Steve Boughton (Public Transportation Advocate)

Sue Carver (Resident at-large)

William Moss (Resident at-large)

Marlece Watson (Non-resident at-large)

i:\eng\gus\resolutions\11-28-06 revision to the highway 99w corridor plan cac res.doc

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-65

A RESOLUTION ESTABLISHING A CITIZEN ADVISORY COMMITTEE TO GUIDE THE PREPARATION OF THE HIGHWAY 99W CORRIDOR IMPROVEMENT AND MANAGEMENT PLAN AND APPOINTING MEMBERS TO THE COMMITTEE.

WHEREAS, the City of Tigard applied for and received a TGM (Transportation Growth and Growth Management) grant for the preparation of the Highway 99W Corridor Improvement and Management Plan; and

WHEREAS, the plan will identify projects and potential land use changes both intended to alleviate traffic congestion and improve traffic circulation within the Highway 99W corridor through the City from Durham Road to the I-5 Interchange; and

WHEREAS, the project is administered by ODOT (Oregon Department of Transportation) and a project consulting firm has been selected to prepare the plan; and

WHEREAS, a Citizen Advisory Committee is required to guide the preparation of the plan and to present the completed plan to City Council; and

WHEREAS, individuals representing a wide variety of community interests are needed to form the committee and provide input into the preparation of the plan; and

WHEREAS, the committee members were selected through an established selection process led by the Mayor.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Highway 99W Corridor Improvement and Management Plan Citizen Advisory Committee is hereby established to guide the preparation of the plan. Its membership shall consist of those individuals listed on the attached Exhibit "A."

SECTION 2: The mission of the Citizen Advisory Committee is to:

- (1) Review and comment on draft plan materials prepared by the project consultant; and
- (2) Guide the preparation of the plan to ensure that the proposed plan meets community needs; and
- (3) Promote public understanding of the proposed plan.

SECTION 3: The Citizen Advisory Committee shall:


- (1) Participate in at least five meetings conducted by the project consultant; and
- (2) Participate in up to three open house meetings at the completion of project milestones to provide the public with an opportunity to review the progress of the project and offer comments; and
- (3) Consider comments received by the public; and
- (4) Present findings and recommendations to City Council upon completion of the plan.

SECTION 4: The term of service for the members of the committee shall expire after completion of the plan and presentation to City Council and the committee itself shall be terminated at that point.

SECTION 5: The City Engineer is assigned as staff liaison to the Citizen Advisory Committee. Other City staff will be used to support the Committee's activities as deemed necessary throughout the entire process.

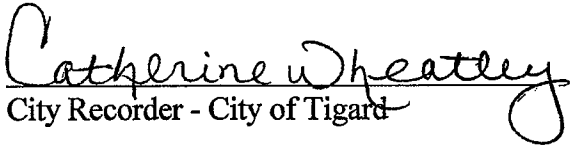
SECTION 6: This resolution is effective immediately upon passage.

PASSED: This 24th day of October 2006.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

EXHIBIT A

Highway 99W Corridor Improvement and Management Plan

Citizen Advisory Committee

Rex Caffall (Planning Commission)
Paul Owen (Transportation Financing Strategies Task Force)
Marlece Watson (CPO 4B)
Daniel Barnes (King City)
Jesse Black (Tigard Chamber of Commerce)
Roger Potthoff (Business along the Highway 99W corridor)
Cherree Weeks (Resident along the Highway 99W Corridor)
Tim McGilvrey (Biking Advocate)
Steve Boughton (Public Transportation Advocate)
Sue Carver (Resident-at-large)
William Moss (Resident-at-large)

I:\Eng\Gus\Resolutions\10-24-06 Highway 99W Corridor Plan CAC RES.doc

Agenda Item #
Meeting Date

3.9.a
November 28, 2006

LOCAL CONTRACT REVIEW BOARD AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title: Award of Contract for the Construction of Hall Boulevard Sidewalk (from Spruce Street to 850 feet south)

Prepared By: Vannie Nguyen

VP Dept Head Approval:

City Mgr Approval: CR

ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD

Shall the Local Contract Review Board, by motion, approve the contract award for the construction of Hall Boulevard Sidewalk (from Spruce Street to 850 feet south)?

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board, by motion, approve the contract award to **Kodiak Benge Construction** in the amount of **\$279,279.00** and authorize an additional amount of \$7,446.00 to be reserved for contingencies and applied as needed as the project goes through construction. The total amount committed to the project is therefore **\$286,700.00**.

KEY FACTS AND INFORMATION SUMMARY

- The project was first advertised for bids in June 2006. Although bidders were provided sufficient time to prepare their bids, staff received only one submittal, which was in the amount of \$343,959. This bid was almost 50% higher than the average Engineer's estimate. The Local Contract Review Board rejected the bid in the Council meeting on August 8, 2006.
- The project was re-advertised for bids on October 6 in the Daily Journal of Commerce, November 1 in the El Latino and November 2, 2006 in The Times and El Hispanic News. Three project addenda were issued. The bid opening of November 9, 2006 was re-scheduled to November 13, 2006 to provide contractors additional time to address the addenda. The bid results are:

Kodiak Benge Construction	Sherwood, OR	\$279,279.00
Parker Northwest Paving	Oregon City, OR	\$279,653.55
Landis & Landis Construction	Portland, OR	\$281,693.50
CR Woods Trucking	Newberg, OR	\$282,962.00
Kerr Contractors	Woodburn, OR	\$318,840.00
Engineer's Estimate Range		\$276,000 to \$338,000

- Re-bidding the project at this time of the year has in fact resulted in more bid submittals and lower bids (the lowest bid submitted by Kodiak Benge Construction is \$65,000 lower than the bid received in the summer).
- The project includes construction of approximately 900 feet of concrete sidewalk on the west side of Hall Boulevard from Spruce Street to 850 feet south; reconstruction of eight concrete driveway aprons as required by the Oregon Department of Transportation (ODOT); construction of drainage pipes and catch

basins to collect water runoff, which currently flows into existing ditches; and construction of planter strips at locations where right-of-way acquisition is not required and impacts to existing properties are negligible.

- A wetland permit has been obtained from the US Army Corps of Engineers and a permit has been granted by ODOT for work performed on a state highway.
- The contractor will have 90 days to construct the improvements except for work classified as in-stream work (i.e. culvert extension, creek bank grading, wetland planting, etc.). The in-stream work will be performed between July 1 and September 30, 2007 as required by the Corps of Engineers permit.
- This project has been approved for Community Development Block Grant (CDBG) in the amount of \$136,725. The FY 2006-07 CIP has included \$150,000 under the Gas Tax Fund as local matching funds for the project.

OTHER ALTERNATIVES CONSIDERED

None

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The completed sidewalk supports the Tigard Beyond Tomorrow Transportation and Traffic goal of "Alternative modes of transportation are maximized".

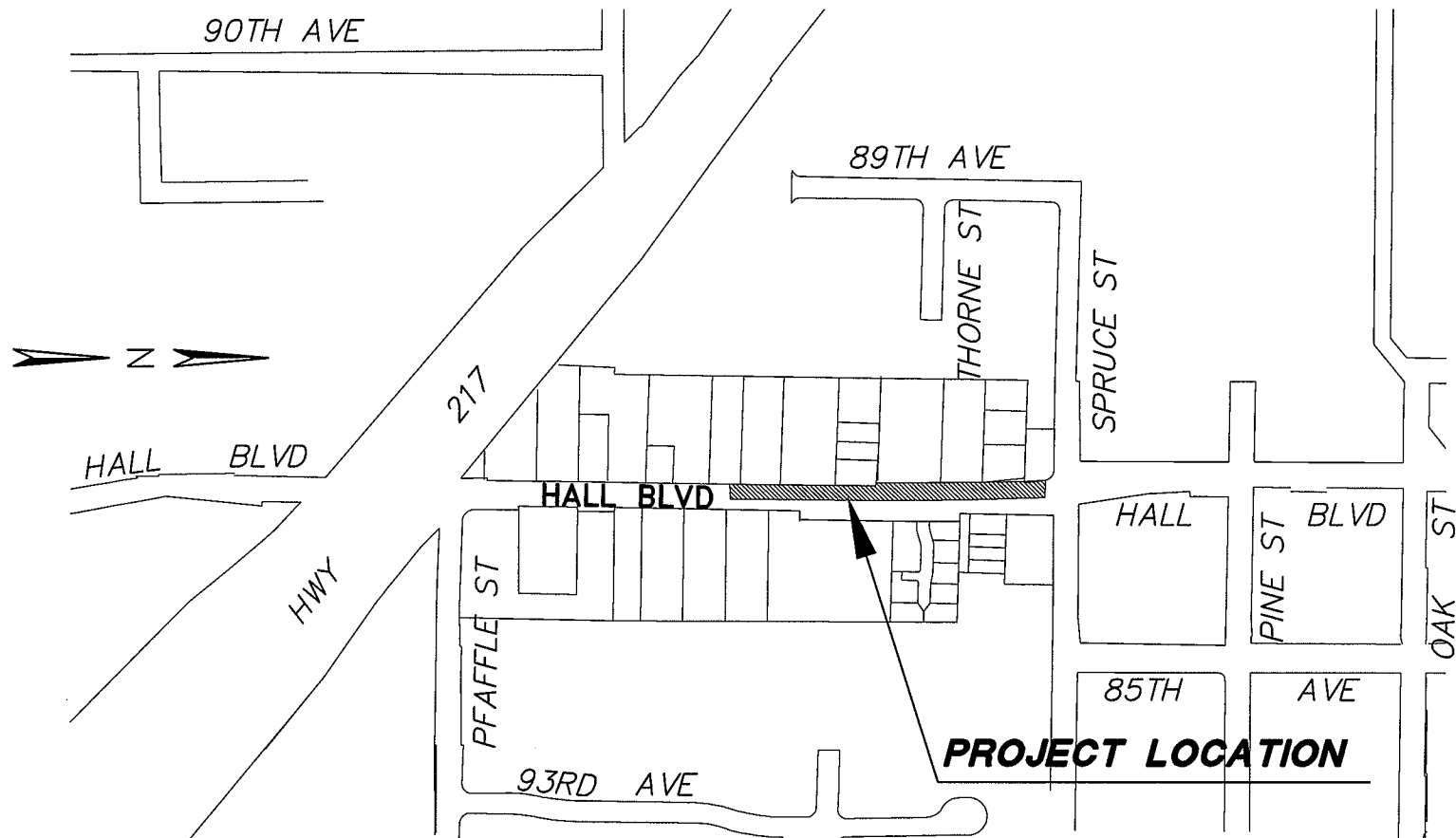
ATTACHMENT LIST

Project location map

FISCAL NOTES

The project is funded by Community Development Block Grant (CDBG) in the amount of \$136,725 and \$150,000 through the FY 2006-07 Gas Tax Fund for the total amount of \$286,725. This amount is sufficient to award the construction contract of **\$279,279.00** to Kodiak Bengé Construction and authorize a contingency amount of \$7,446.00 for the total **\$286,700.00** to construct the project.

HALL BOULEVARD SIDEWALK INSTALLATION



VICINITY MAP
NO SCALE

Agenda Item #
Meeting Date

3.9.6
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Award of Contracts for Wetland Services on an As-Required Basis

Prepared By: G. Berry ^{AB} Dept Head Approval: TC ^{TC} City Mgr Approval: CR ^{CR}

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board approve two contract awards for wetland services on an as-required basis?

STAFF RECOMMENDATION

That the Local Contract Review Board approve, by motion, the contract awards to the following wetland services firms:

- **Vigil-Agrimis, Inc., Portland, OR**
- **Zion Natural Resources Consulting, Monmouth, OR**

Staff also requests that the City Manager be authorized to execute contracts with the firms for projects up to and including \$50,000. Projects exceeding \$50,000 will be submitted for contract award by the Local Contract Review Board prior to commencement of work.

KEY FACTS AND INFORMATION SUMMARY

City construction projects occasionally occur in wetlands where state and federal regulations require permits. Permits usually require delineation of the affected wetland and a plan for restoration or replacement of lost wetland area. The selected firms would obtain the required permits and guide sanitary sewer reimbursement district, street improvement and other projects through the regulatory process.

- In the past, wetland services firms have been hired for individual projects through a competitive proposal process. This has proven to be cumbersome, time consuming and expensive. The proposed as-required contracts will enable the selected firms to begin work on projects without the delay and expense of a separate competition for each project. On August 8, 2006, 12 firms submitted their proposals in response to a July 18, 2006 Request for Proposals to provide wetland services. Each proposal was separately evaluated by four Capital Construction and Transportation Division staff members. The three highest-rated firms (Parati of Oregon, Vigil-Agrimis, Inc., and Zion Natural Resources Consulting) were invited to meet with the selection committee and further elaborate on their proposals.
- Award of the contract to the two recommended firms is based on an evaluation of the firms' proposals, presentations and the amount of work expected to be assigned to the firms. The selected firms were determined to have the capabilities, staffing, experience and compensation requirements best suited to perform the required services.
- The contracts will be for an initial term of two years after Local Contract Review Board approval and may be renewed for two additional one-year terms. Projects assigned to the firms will be on an as-needed basis. Once a

project is assigned to a firm, the firm will prepare and submit a cost proposal to the City for review and approval. To further streamline the process and expedite project implementation, staff recommends that the City Manager be authorized to execute contracts with the firms for projects up to and including \$50,000. Projects exceeding \$50,000 will be submitted for contract award by the Local Contract Review Board prior to commencement of work.

OTHER ALTERNATIVES CONSIDERED

Reject all proposals and prepare a Request for Proposal for each project.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The proposed contracts will facilitate the completion of street projects meeting the Tigard Beyond Tomorrow Transportation and Traffic Goals of "Improve Traffic Safety" and "Improve Traffic Flow" and sewer projects meeting the Tigard Beyond Tomorrow Growth and Growth Management goal of "Growth will be managed to protect the character and livability of established areas, protect the natural environment and provide open space throughout the community."

ATTACHMENT LIST

None.

FISCAL NOTES

Award of the contracts will not require funding until projects are assigned to the selected firms. Funding for assigned projects will be through the respective project budgets.

Agenda Item #
Meeting Date

3.10.9
November 28, 2006

CITY CENTER DEVELOPMENT AGENCY AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Memorandum of Understanding with Wilking V Investments, LLC.

Prepared By: Phil Nachbar

Dept Head Approval: TC

City Mgr Approval: CP

ISSUE BEFORE THE CITY CENTER DEVELOPMENT AGENCY

Should the CCDA direct staff to execute a memorandum of understanding with Wilking Investments V LLC. for a potential easement to develop a "gateway to Fanno Creek Park" from Main Street?

STAFF RECOMMENDATION

Direct staff to execute the attached memorandum of understanding for a potential easement for a gateway to Fanno Creek Park from Main Street.

KEY FACTS AND INFORMATION SUMMARY

Council discussed the Memorandum of Understanding (Wilking V Investments, LLC) in an executive session on October 10, 2006. At that time, Council directed staff to place the item on a future consent agenda for approval.

The Tigard Downtown Improvement Plan and Downtown Streetscape Plan identify Fanno Creek at Main Street as an entryway to Fanno Creek Park. Options for a gateway were subsequently developed in the Streetscape Plan.

A master plan for Fanno Creek Park, being conducted during FY 06-07 will address a more specific design and location of a public gateway and access way in the area.

In anticipation of the need for public access along Fanno Creek from Main St. to Fanno Creek Park, discussions have taken place with Chuck O'Leary, property owner and partner in Wilking Investments V LLC. Wilking Investments is owner of the "brewery pub property" on the south side of Fanno Creek on Main Street. The City's objective is to identify property for which public access may be obtained for a more expanded entryway into the Park. Thus far, Wilking Investments has been supportive of and interested in working with the City to make this happen.

An agreement for an easement would not occur until a specific design and location have been evaluated. This evaluation would take place as part of the Fanno Creek Park Master Plan process.

OTHER ALTERNATIVES CONSIDERED

Alternatives include no action, or consideration of the opposite side of the creek for a gateway. None of the alternatives are precluded by executing this memorandum of understanding.

CITY COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

A key Council goal of FY 06-07 is to "Implement Downtown Plan". The development of gateways is a key design objective of the adopted Tigard Downtown Improvement Plan.

ATTACHMENT LIST

Attachment #1: MOU with Wilking Investments V, LLC.

FISCAL NOTES

There is no cost impact of executing a memorandum of understanding with Wilking Investments V, LLC.

Memorandum of Understanding

This Memorandum of Understanding is between the City of Tigard and Wilking Investments V, LLC, owner of the subject property located at 12562 SW Main St. in Downtown Tigard.

Purpose of option agreement:

- To provide the basis for negotiations for an agreement for the construction and access of a public “gateway” and / or access way from Main Street to Fanno Creek Park on the subject property in conjunction with the City’s Urban Renewal Program. The term “gateway” refers to an entryway feature, and the term “access way” refers to pathway, both to be located in the public right-of-way by easement. The location of the gateway / access way shall be from Fanno Creek adjoining and upon the subject property.
- To set forth the responsibilities of each party to effect an agreement for the future construction of a public gateway and access way from Main Street to Fanno Creek Park.

Responsibilities:

The City of Tigard agrees to:

- In good faith, evaluate the subject property for use as a public gateway and access way as part of the City’s Downtown Urban Renewal Program.
- Communicate with Wilking Investments V, LLC, in good faith, its interest, concerns, and ability to effect an agreement for an easement for construction and access of a gateway and / or public access way on the subject property.
- Determine, where appropriate, the necessary land area for a “gateway” feature and public access route upon the subject property.
- Provide a legal description, where appropriate, for a public easement to accommodate a gateway feature and / or public access route from Main Street to Fanno Creek Park.

- After evaluating the feasibility, prepare an agreement for development of a public gateway and / or access way for consideration and execution by both parties.

Wilking Investments V LLC agrees to:

- Communicate with the City of Tigard, in good faith, its interest, concerns, and ability to effect an agreement for an easement for construction and access of a gateway and / or public access way on the subject property.
- Negotiate in good faith with its tenant and the City of Tigard to provide an easement for construction and access of a gateway and /or public access way on the subject property.
- Negotiate in good faith with its tenant and the City of Tigard for the removal of the existing portion of the building at the rear extending from the plane of the building towards Fanno Creek to provide additional land area for a public access way to Fanno Creek Park.
- Negotiate in good faith with its tenant and the City of Tigard for a portion of the existing vacant land area located at the rear of the building (formerly parking) to be subject to a construction and access easement for a public access way to Fanno Creek Park.

In order to accomplish the purpose of this Memorandum of Understanding, both parties agree to the following:

- The parties each understand that this transaction will be conditioned on the review of additional information relating to the property and the plans for its use by the parties. By signing this memorandum of understanding, and pending further study and consideration by the parties, both parties agree to negotiate in good faith toward the incorporation of its content into such agreements as necessary to effect this transaction, including, but not limited to access and easement agreements, lease modifications, etc.

- This Memorandum of Understanding shall remain in effect for the earlier of (1) a sale of the property by Wilking Investments V, LLC; (2) a period of three (3) years from the date of this Memorandum of Understanding; or (3) until the agreements contemplated by this Memorandum of Understanding are executed.

Signed,

Craig Prosser, City Manager

Date_____

Chuck O'Leary, Manager
Wilking Investments V LLC

Date_____

Agenda Item #

3.10.6

Meeting Date

November 28, 2006

CITY CENTER DEVELOPMENT AGENCY AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title: Memorandum of Understanding with Stevens Marine, Inc. for potential purchase of properties in the Downtown

Prepared By: Phil Nachbar Dept Head Approval: TC City Mgr Approval: CP

ISSUE BEFORE THE CITY CENTER DEVELOPMENT AGENCY

Should the City Center Development Agency (CCDA) direct staff to execute a Memorandum of Understanding (MOU) with Stevens Marine, Inc. for potential purchase of key properties in the downtown?

STAFF RECOMMENDATION

Authorize the City Manager to sign the attached Memorandum of Understanding.

KEY FACTS AND INFORMATION SUMMARY

Council discussed the Memorandum of Understanding (Stevens Marine, Inc.) in an executive session on October 10, 2006. At that time, Council directed staff to place the item on a future consent agenda for approval.

One of the key projects in the adopted work plan for FY 06-07 is the development of a new master plan for Fanno Creek Park. The design for a public use area may include property now owned by Stevens Marine, Inc. There is the opportunity to develop a working relationship with and potentially purchase key properties from Stevens Marine, Inc. to work towards the implementation of the public use area. The acquisition of the Stevens Marine property could also be helpful to implementing the urban creek corridor, another key Tigard Downtown Improvement Plan (TDIP) project. Full use of the property could include partial redevelopment, allowing the City to participate in and set the standard for the type and quality of development to follow.

The decision to acquire any properties will depend on 1) a determination of need and feasibility through the Master planning process for Fanno Creek, 2) a mutual agreement for purchase with Stevens Marine, Inc. and 3) the City's financial capacity to purchase the properties.

The purpose of the Memorandum of Understanding is to establish the mutual interest of the parties in developing an option agreement. It is important to understand any option agreement does not commit the City to a purchase, but rather provides an "option" to purchase.

The draft Memorandum of Understanding has been reviewed by the City Attorney.

OTHER ALTERNATIVES CONSIDERED

Other alternatives include no action, or not developing an option agreement with Stevens Marine, Inc. These options are not proactive, and could result in the City not being in a position to implement the public use area, potential redevelopment, or a viable solution for the urban creek corridor.

CITY COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Tigard Beyond Tomorrow Vision Goals #2 The Downtown will provide a gathering place for the community and honor the sense of small town / village. Strategy 1) Develop the gathering place identified in TDIP. Planned Actions: Development of Downtown place for events will be a high priority when the TDIP is finished.

ATTACHMENT LIST

Attachment #1 - Stevens Marine, Inc. Memorandum of Understanding

FISCAL NOTES

There is no cost impact to signing this Memorandum of Understanding. Any future commitment of City funds for property acquisition will be evaluated by the Finance Department.

Memorandum of Understanding (MOU)

This Memorandum of Understanding (MOU) is between the City of Tigard and Page Stevens, owner of Stevens Marine, Inc., in Tigard, Oregon. The purpose of this MOU is to provide the basis for the development of an option agreement for the potential purchase of properties referred to as "Stevens Marine" in Downtown Tigard by the City for use in conjunction with its Urban Renewal Program.

The properties under consideration for sale and disposition in this agreement by and between the two parties, City of Tigard, the potential purchaser, and Page Stevens, owner of Stevens Marine and related properties include:

1- 8180 SW Burnham St., Tigard 97223 (2.91 ac), Tax Lot # 2S102AC00200
2-9171 SW Burnham St., Tigard, 97223 (0.66 ac), Tax Lot #2S102AB05301
3-12360 SW Main St., Tigard, 97223 (0.58 ac), Tax Lot#2S102AB05302

Purpose of option agreement:

- To provide for the potential sale and disposition of property owned by Page Stevens (Stevens Marine) to the City of Tigard for use in conjunction with its Downtown Urban Renewal Program. This MOU sets forth the initial responsibilities to be included in an option agreement between Page Stevens, owner of the Stevens Marine, Inc. property, and the City of Tigard, the potential purchaser. Both parties enter into this MOU and the option agreement on a voluntary basis.
- To identify the process to effect a sale between the property owner, Page Stevens, and the potential purchaser, the City of Tigard.

Responsibilities:

The City of Tigard agrees to:

- Obtain an initial appraisal of the properties to assist both parties in planning and assessing the potential for a sale. Cost of the appraisal will be paid by the City.
 1. The results of the appraisal will be fully disclosed and made available to both parties. Neither party shall have the right to disclose the results of the appraisal to other individuals or

organizations except those directly associated with the business of each party.

- In good faith, to evaluate the properties for purchase as part of its Downtown Urban Renewal Program.
- Communicate with Page Stevens, owner of Stevens Marine, in good faith, its interest, concerns, and ability to effect a purchase of the subject properties under the terms of an option agreement.
- To determine its ability to purchase one or more of the properties. If at any time, the City determines that it will not purchase one or more of the properties, it shall promptly notify the Owner of its decision in writing, and that property shall by addendum be removed from this agreement.
- Pay an amount to be determined for an option to purchase subject properties under the terms of an option agreement.

Page Stevens agrees to:

- In good faith, evaluate the opportunity to relocate the business located at 8180 SW Burnham St., Tigard 97223 (2.91 ac), and related storage located at 9171 SW Burnham St., Tigard, 97223 (0.66 ac), and 12360 SW Main St., Tigard, 97223 (0.58 ac) to a location outside the City Center Urban Renewal District.
- Communicate with the City of Tigard, in good faith, his interest, concerns, and ability to effect a sale of the subject properties under the terms of this agreement.
- Not to advertise for sale or sell the properties to a party other than the City of Tigard for the life of the agreement or without the express written authorization of the City.

In order to accomplish the purpose of this Memorandum of Understanding, both parties agree to the following:

1. By signing this memorandum of understanding, both parties agree to incorporate its contents into an option agreement for further consideration and execution.

2. The City of Tigard shall have the sole right to purchase the properties at 8180 SW Burnham St., Tigard 97223 (2.91 ac), 9171 SW Burnham St., Tigard, 97223 (0.66 ac), and 12360 SW Main St., Tigard, 97223 (0.58 ac) for the term of the option agreement, or as defined under a separate legal addendum or agreement.
3. The term of the option agreement for purchase of the above properties will be from the date of signing for a period of up to three (3) years.

Execution:

The terms and conditions of this Memorandum of Understanding are effective upon signing of both parties below.

Craig Prosser, City Manager
City of Tigard

Date:_____

Page Stevens, Owner Stevens Marine, Inc.

Date:_____

Agenda Item #
Meeting Date

4
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Presentation of the 2006 Outstanding Reuse Customer Award

Prepared By: Dennis Koellermeier Dept Head Approval:  City Mgr Approval: CP

ISSUE BEFORE THE COUNCIL

- The City of Tigard was recently awarded the Pacific Northwest Clean Water Association's 2006 Outstanding Reuse Customer Award.
- A representative from Clean Water Services (CWS) will present the award to the City.

STAFF RECOMMENDATION

Accept the award.

KEY FACTS AND INFORMATION SUMMARY

The term "reclaimed water" refers to wastewater that has been treated to meet stringent DEQ standards. Reclaimed water costs less than drinking water, is not drawn from the drinking water system, and is acceptable for uses where high-quality drinking water is not required. The practice of using reclaimed water is known as "water reuse."

- In 2000, the City began using reclaimed water from CWS' Durham wastewater treatment facility to irrigate Cook Park.
- Today, over 25 acres of the park are irrigated with reclaimed water.
- By using reclaimed water, the City's overall water demand is reduced and the park can be irrigated even when water conservation measures are in effect.
- The City has a 50-year contract (1997 to 2047) with CWS to purchase the reclaimed water.
- In 2005, the City purchased 14.26 million gallons of reclaimed water at a total cost of \$1,140. When compared to the wholesale cost of drinking water, the switch to reclaimed water saves City residents over \$20,000 a year.
- As a result of the City's efforts to use reclaimed water, Clean Water Services nominated the City for the Outstanding Reuse Customer Award. The City was notified it had received the award in September 2006.

OTHER ALTERNATIVES CONSIDERED

Not applicable.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Tigard beyond Tomorrow, Urban & Public Services, Water & Stormwater

Goal #1: Actively participate in regional development of drinking water sources and adequate, innovative funding mechanisms to develop those sources for Tigard users while exploring local options for water reuse and groundwater source.

ATTACHMENT LIST

None.

FISCAL NOTES

No costs are associated with this award.

Agenda Item #

5

Meeting Date

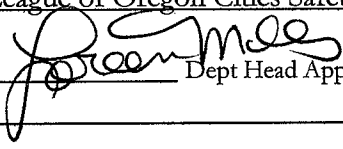
11/28/06


COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title League of Oregon Cities Safety Award

Prepared By: Loreen Mills

Dept Head Approval: 

City Mgr Approval: 

ISSUE BEFORE THE COUNCIL

Formally receive the 2005/06 Silver Safety Award presented to the City by League of Oregon Cities and City County Insurance Services.

STAFF RECOMMENDATION

Receive award.

KEY FACTS AND INFORMATION SUMMARY

The City of Tigard has been officially recognized by the League of Oregon Cities and City County Insurance Services as demonstrating outstanding achievement in the area of safety. The City was awarded the Silver Medal Safety Award at the annual LOC Conference held in Portland this fall.

Each year the League of Oregon Cities and the City/County Insurance Services, sponsor an annual safety awards program. All Oregon cities that employ full-time employees were eligible to participate in the award program.

Tigard has won this award for the 8th year in a row. When compared to other cities with populations of 150+ employees, Tigard had the second lowest injury frequency rate.

City employees see safety as an important part of their job not only protect themselves but also Tigard citizens.

OTHER ALTERNATIVES CONSIDERED

N/A.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

N/A

ATTACHMENT LIST

N/A.

FISCAL NOTES

N/A

Agenda Item #

Meeting Date

6
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Finalization of Sanitary Sewer Reimbursement District No. 32 (SW Fern Street)

Prepared By: G. Berry ^{24B} Dept Head Approval: TC City Mgr Approval: CP

ISSUE BEFORE THE COUNCIL

Shall City Council finalize Sewer Reimbursement District No. 32, established to construct a sanitary sewer in SW Fern Street?

STAFF RECOMMENDATION

Approve the proposed resolution finalizing Reimbursement District No. 32 as modified by the Final City Engineer's Report.

KEY FACTS AND INFORMATION SUMMARY

- On May 25, 2004, the City Council approved an agreement with Washington County to include the sewer as part of a project to improve SW Walnut Street between SW 121st and 135th Avenues through the Major Streets Transportation Improvement Program.
- Council approved the formation of Reimbursement District No. 32 by Resolution No. 05-05 on January 25, 2005 following an informational hearing. One owner, asking several questions about the cost of the project, offered public testimony during the hearing. Since then, construction of the improvements has been completed and final costs have been determined. The City Engineer's Report has been revised accordingly. On November 9, 2006, notices of the hearing to finalize the district were mailed to owners within the district. No responses to the notices were received. During construction, owners generally supported the project but did not express any present intention to connect to the sewer.
- Through the City's Neighborhood Sewer Extension Program, the City has installed public sewers to each lot within the Reimbursement District. The property owners must reimburse the City for a fair share of the cost of the public sewer at the time of connection to the sewer. In addition, property owners must pay a connection fee, currently \$2,735, and are responsible for disconnecting the existing septic system according to County rules and any other plumbing modifications necessary to connect to the public line. There is no requirement to connect to the sewer. Owners will not be required to pay any fee until they choose to connect to the sewer.
- Each owner has been notified of the hearing by mail. The notice, mailing list and additional details are included in the City Engineer's Report attached as Exhibit A to the proposed resolution.
- If Council approves this request to finalize the Reimbursement District, owners within the district will be notified that the sewer is available for connection.

OTHER ALTERNATIVES CONSIDERED

None.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The project is part of the Citywide Sewer Extension Program established by City Council to provide sewer service to developed but unserved residential areas in the City. It meets the Tigard Beyond Tomorrow Growth and Growth Management goal of "Growth will be managed to protect the character and livability of established areas, protect the natural environment and provide open space throughout the community." Sewer service enhances the environment and protects the health of the residents by providing for the closure of septic systems 40 to 50 years old.

ATTACHMENT LIST

Attachment 1- Proposed Resolution
 Exhibit A, City Engineer's Report
 Exhibit B, Map
Attachment 2- Resolution No. 05-05 with Exhibits A, B (6 pages)
Attachment 3- Vicinity Map
Attachment 4- Notice to Owners
Attachment 5- Mailing List
Attachment 6- Resolution No. 01-46
Attachment 7- Resolution No. 03-55

FISCAL NOTES

The final cost of the project is \$67,461. This amount includes the final cost of construction, \$59,437.00, plus \$8,024.00 for administration and engineering as defined in TMC 13.09.040(1). The final cost is 2% higher than the estimated cost of \$66,003.

The portion of the final costs assigned to each owner is tabulated in Exhibit A of the attached proposed resolution. The cost to each owner under the Incentive Program established by Resolution No. 01-46 is also shown.

Funding is by unrestricted sanitary sewer funds.

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-_____

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 32 (SW FERN STREET) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 05-05.

WHEREAS, on January 25, 2005, the City Council approved Resolution No. 05-05 to form Sanitary Sewer District No. 32 to construct a sewer in SW Fern Street in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 05-05 included the City Engineer's Report, which provided an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report as recommended by the City Engineer are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 32", attached hereto as Exhibit A, is hereby approved.

SECTION 2 The City Engineer's Report as presented in Resolution No. 05-05 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

SECTION 4 This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Exhibit A

City Engineer's Report Sanitary Sewer Reimbursement District No. 32 (SW Fern Street)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,735, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

A line in Fern Street was extended east to serve the five lots shown on Exhibit Map B.

Cost

The final cost for the sanitary sewer construction to provide service to the five lots is \$59,437.00. Engineering and inspection fees amount to \$8,024.00 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$67,461.00. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,735 connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from 21,000 to 43,000 square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of this portion of the project be divided among the five properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

13620 SW Fern Street is a flag lot with an 8,003 square foot driveway which does not benefit from the sewer. This driveway area was deducted from the total lot area to determine the estimated cost for this lot.

Each property owner's estimated fair share of the public sewer line is \$0.37407729 per square foot of the lot served. Each owner's fair share would be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution No. 03-55 (attached).

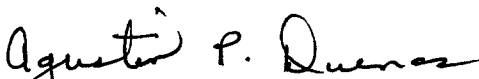
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be finalized with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted November 14, 2006


Agustin P. Duenas, P.E.
City Engineer

i:\eng\2006-2007 fy cip\walnut street - phase 3 (by county)\reimbursement district 32-fern street\city council\finalize\11-28-06 reim dist 32 report app a.doc

FERN STREET
Reimbursement District No. 32

*Final Cost to Property Owners
October 4, 2006*

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	FINAL REIMBURSEMENT FEE	AMOUNT TO BE PAID BY OWNER	AMOUNT TO BE PAID BY CITY	AMOUNT THAT CAN BE DEFERRED BY OWNER
1	HAVILAND, RANDALL S TR & LEUEEN M	13625 SW FERN ST	2S104BD01300	21169.66925	0.486	\$7,919	\$6,000	\$1,919	\$0
2	ROMAN, CATHOLIC ARCHBISHOP OF PORTLAND	13665 SW FERN ST	2S104BD01400	22346.68844	0.513	\$8,359	\$6,000	\$2,359	\$0
3	BENETTI, MARCO A & SALLY A	13650 SW FERN ST	2S104BD02100	48852.1919	1.121	\$18,274	\$9,274	\$9,000	\$3,274
4	CLARKE, JOHN A & NANCY J	13620 SW FERN ST	2S104BD02300	43255.11633	0.993	\$16,181	\$7,181	\$9,000	\$1,181
5	CLARKE, JOHN A & NANCY J	NO ADDRESS ON FERN ST	2S104BD02102	44716.0566	1.027	\$16,727	\$7,727	\$9,000	\$1,727
			Totals	180340	4.14	\$67,461	\$36,183	\$31,278	\$6,183

The "ESTIMATED REIMBURSEMENT FEE" column shows the estimated reimbursement fee for each lot. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once construction is complete and final costs are determined.

In accordance with Resolution No. 01-46, each property owner will be required to pay the first \$6,000 of the final reimbursement fee for connections completed within the first three years of City Council's approval of the final City Engineer's Report following construction. The "AMOUNT TO BE PAID BY CITY" column shows that portion of the reimbursement fee that the owners will not be required to pay if they connect to the sewer during this three year period.

This resolution also requires owners to pay any fair share amount that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus that amount of the fair share that exceeds \$15,000. Under Resolution No. 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed. This amount is shown in the "AMOUNT THAT CAN BE DEFERRED BY OWNER" column.

In addition to the reimbursement fee, the owners will also be required to pay a connection fee, currently \$2,735, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

FERN STREET
Reimbursement District No. 32
Final Cost to Property Owners
Summary
October 4, 2006

Final Construction Cost	\$59,437.00
13.5% (Admin & Eng)	\$8,024.00
total project costs	\$67,461.00
total area to be served (S.F.)	180,340
total cost per S.F. to property owner	\$0.37407729

FERN STREET
 SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #32
 A PORTION OF THE NE 1/4 OF SECTION 4. T2S R1W W.M.



EXHIBIT B

CITY OF TIGARD, OREGON

RESOLUTION NO. 05-05

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 32 (SW FERN STREET)

WHEREAS, the City has initiated the Neighborhood Sewer Extension Program to extend public sewers and recover costs through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, these property owners have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the Reimbursement District, the estimated costs, a method for spreading the cost among the parcels within the District, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a Reimbursement District as recommended by the City Engineer is appropriate.

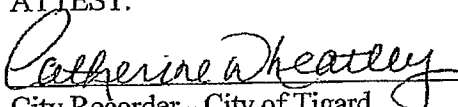
NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1 The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 32", attached hereto as Exhibit A, is hereby approved.
- SECTION 2 A Reimbursement District is hereby established in accordance with TMC Chapter 13.09. The District shall be the area shown and described on Exhibit B. The District shall be known as "Sanitary Sewer Reimbursement District No. 32, SW Fern Street."
- SECTION 3 Payment of the reimbursement fee as shown in Exhibit A is a precondition of receiving City permits applicable to development of each parcel within the Reimbursement District as provided for in TMC 13.09.110.
- SECTION 4 An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the Reimbursement Fee.
- SECTION 5 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.
- SECTION 6 This resolution is effective upon passage.

PASSED: This 25th day of January 2005.


Mayor - City of Tigard

ATTEST:


City Recorder - City of Tigard

Certified to be a True Copy of

Original on file at Tigard City Hall

B. 
City Recorder - City of Tigard

Date: 2.14.06

RESOLUTION NO. 05-

Page 1

Exhibit A

City Engineer's Report Sanitary Sewer Reimbursement District No. 32 (SW Fern Street)

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee, currently \$2,535, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

An existing line in Fern Street will be extended east to service five lots as shown on Exhibit Map B.

Cost

The estimated cost for the sanitary sewer construction to provide service to the five lots is \$58,152. Engineering and inspection fees amount to \$7,851 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$66,003. This is the estimated amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,535 connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from 21,000 to 43,000 square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of this portion of the project be divided among the five properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended

because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

13620 SW Fern Street is a flag lot with an 8,003 square foot driveway which does not benefit from the sewer. This driveway area was deducted from the total lot area to determine the estimated cost for this lot.

Each property owner's estimated fair share of the public sewer line is \$0.35 per square foot of the lot served. Each owner's fair share would be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution 03-55 (attached).

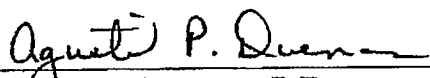
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted January 11, 2005



Agustin P. Duenas, P.E.
City Engineer

K:\eng\2004-2005 fy cipi\walnut street - phase 3 (by county)\reimbursement district 32-farm street\city council\information\1-25-05 reim dist 32 report app a.doc

FERN STREET
Reimbursement District No. 32
Estimated Cost to Property Owners
January 11, 2005

OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	ESTIMATED COST TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY
1 HAVILAND, RANDALL S TR & LEUEEN M	13625 SW FERN ST	2S104BD01300	21169.66925	\$7,748	\$6,000	\$1,748
2 ROMAN, CATHOLIC ARCHBISHOP OF PORTLAND	13665 SW FERN ST	2S104BD01400	22346.68844	\$8,179	\$6,000	\$2,179
3 BENETTI, MARCO A & SALLY A	13650 SW FERN ST	2S104BD02100	48852.1919	\$17,879	\$8,879	\$9,000
4 CLARKE, JOHN A & NANCY J	13620 SW FERN ST	2S104BD02300	43255.11633	\$15,831	\$6,831	\$9,000
5 CLARKE, JOHN A & NANCY J	NO ADDRESS (FERN ST)	2S104BD02102	44716.0566	\$16,366	\$7,366	\$9,000
Totals			180340	\$66,003	\$35,076	\$30,927

FERN STREET
Reimbursement District No. 32
Estimated Cost to Property Owners
Summary
January 11, 2005

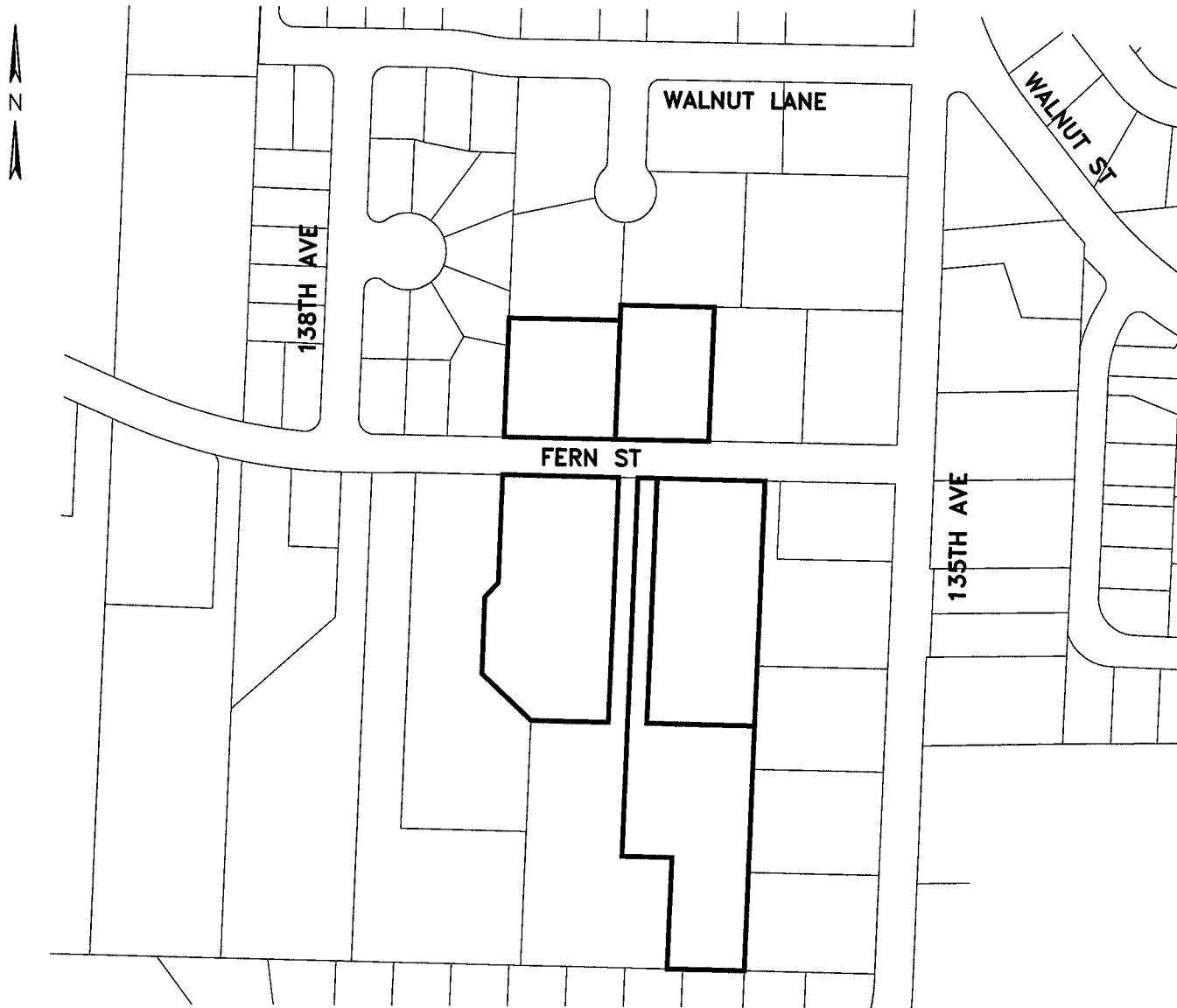
Estimated Construction Cost	\$50,567
15% contingency (construction)	\$7,585
Estimated construction subtotal	\$58,152
13.5% contingency (Admin & Eng)	\$7,851
total project costs	\$66,003
total area to be served (S.F.)	180,340
total cost per S.F. to property owner	\$0.36599023

FERN STREET
SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #32
A PORTION OF THE NE 1/4 OF SECTION 4 T2S R1W W.M.



EXHIBIT B

FERN STREET
SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #32
A PORTION OF THE NE 1/4 OF SECTION 4 T2S R1W W.M.



VICINITY MAP

November 13, 2006

NOTICE
of
PUBLIC HEARING
Tuesday, November 28, 2006
7:30 PM
Tigard Civic Center
Town Hall

The following will be considered by the Tigard City Council on November 28, 2006 at 7:30 PM at the Tigard Civic Center - Town Hall, 13125 SW Hall Blvd., Tigard, Oregon. Both public oral and written testimony is invited. The public hearing on this matter will be conducted as required by Section 13.09.105 of the Tigard Municipal Code. Further information may be obtained from the Engineering Department at 13125 SW Hall Blvd., Tigard, OR 97223, or by calling 503 718-2468.

INFORMATIONAL PUBLIC HEARING:

FINALIZATION OF SANITARY SEWER REIMBURSEMENT DISTRICT NO. 32 (SW Fern Street). The Tigard City Council will conduct a public hearing to hear testimony on the finalization of Sanitary Sewer Reimbursement District No. 32 formed to install sewers in SW Fern Street.

Each property owner's recommended fair share of the public sewer line is \$0.37407729 per square foot of the lot served as shown on the enclosed list. For owners with a fair share amount of \$15,000 or less, the owner's fair share would be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01- 46. In addition to paying for the first \$6,000, owners will remain responsible for paying actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution No. 03-55.

FERN STREET
 SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #32
 A PORTION OF THE NE 1/4 OF SECTION 4 T2S R1W W.M.

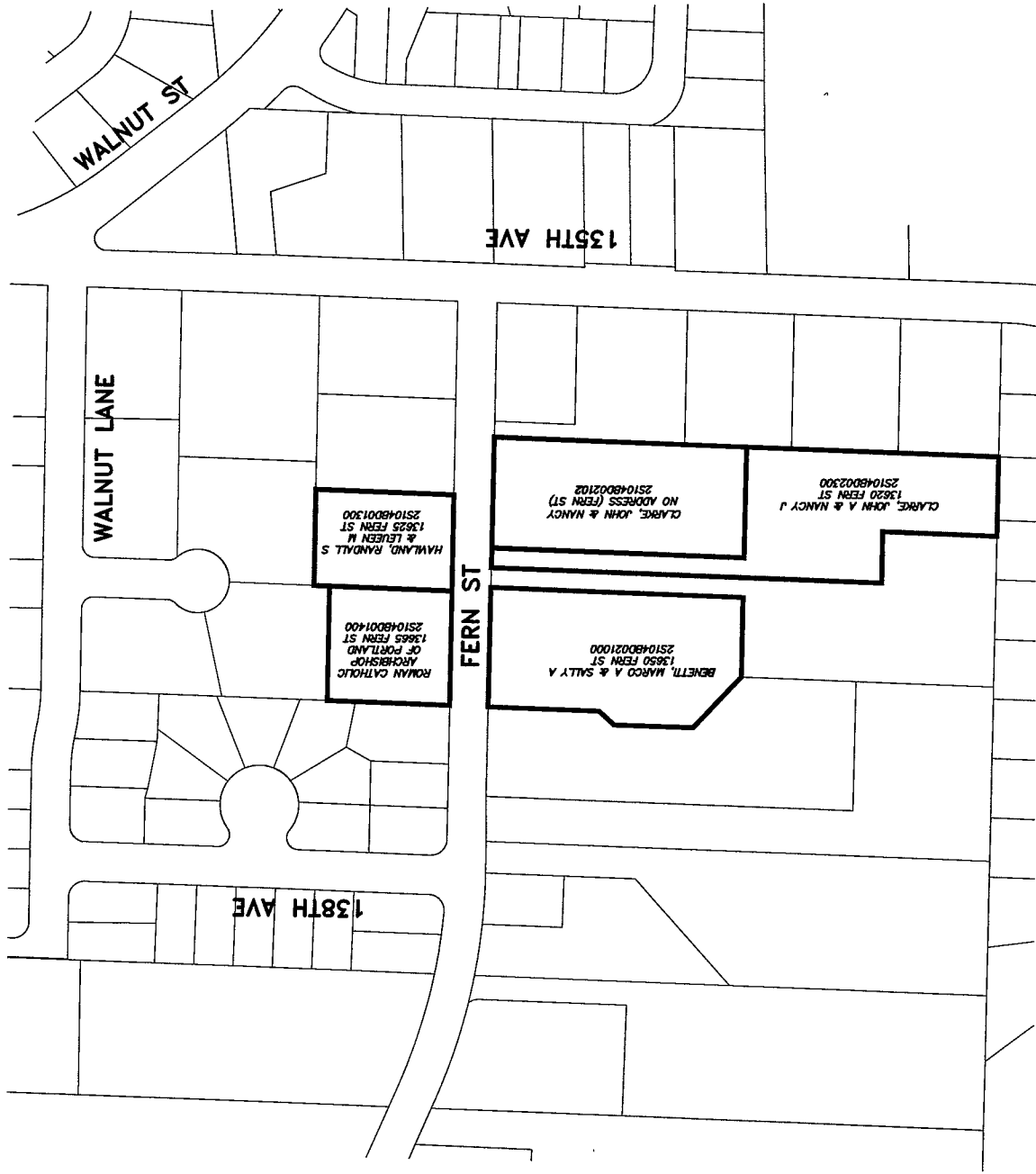


EXHIBIT B

2S104BD01300
HAVILAND, RANDALL S TR & LEUENN M
13625 SW FERN ST
TIGARD OR 97223

2S104BD01400
ROMAN CATHOLIC ARCHBISHOP OF PORTLAND
2838 E BURNSIDE
PORTLAND OR 97219

2S104BD02100
BENETTI, MARCO & SALLY
13650 SW FERN ST
TIGARD OR 97223

2S104BD02300 & 02102
CLARKE, JOHN & NANCY
13620 SW FERN ST
TIGARD OR 97223



CITY OF TIGARD, OREGON

RESOLUTION NO. 01-46

A RESOLUTION REPEALING RESOLUTION NO. 98-51 AND ESTABLISHING A REVISED AND ENHANCED NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on October 13, 1998, the City Council established The Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 98-51 to encourage owners to connect to public sewer. The program was offered for a two-year period after which the program would be evaluated for continuation; and

WHEREAS, on September 26, 2000, the City Council extended The Neighborhood Sewer Reimbursement District Incentive Program an additional two years through Resolution No. 00-60; and

WHEREAS, City Council finds that residential areas that remain without sewer service should be provided with service within five years; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners to promptly connect to sewers once service is available and that owners who have paid for service provided by previously established districts of the Neighborhood Sewer Extension Program should receive the benefits of the additional incentives.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 98-51 establishing the Neighborhood Sewer Reimbursement District Incentive Program is hereby repealed.

SECTION 2: A revised incentive program is hereby established for the Neighborhood Sewer Extension Program. This incentive program shall apply to sewer connections provided through the sewer reimbursement districts shown on the attached Table 1 or established thereafter. All connections qualifying under this program must be completed within **three years** after Council approval of the final City Engineer's Report following a public hearing conducted in accordance with TMC Section 13.09.105 or by **two years** from the date this resolution is passed, which ever is later, as shown on the attached Table 1.

SECTION 3: To the extent that the reimbursement fee determined in accordance with Section 13.09.040 does not exceed \$15,000, the amount to be reimbursed by an owner of a lot zoned single family residential shall not exceed \$6,000 per connection, provided that the lot owner complies with the provisions of Section 2. Any amount over \$15,000 shall be reimbursed by the owner. This applies only to the reimbursement fee for the sewer installation and not to the connection fee, which is still payable upon application for

RESOLUTION NO. 01-46

sewer connection.


SECTION 4: The City Engineer's Report required by TMC Chapter 13.09 shall apply the provisions of this incentive program. Residential lot owners who do not connect to sewer in accordance with Section 2 shall pay the full reimbursement amount as determined by the final City Engineer's Report.

SECTION 5: Any person who has paid a reimbursement fee in excess of the fee required herein is entitled to reimbursement from the City. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. The Finance Director shall make payment to all persons entitled to the refund no later than August 31, 2001.

SECTION 6: The Sanitary Sewer Fund, which is the funding source for the Neighborhood Sewer Reimbursement District Program, shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection.

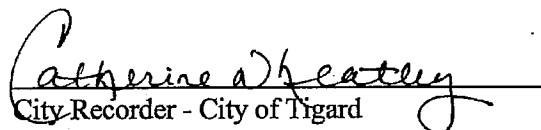
EFFECTIVE DATE: July 10, 2001

PASSED: This 10th day of July 2001.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

I:\Citywide\Res\Resolution Revising the Neighborhood Sewer Incentive Program

RESOLUTION NO. 01-46

Page 2

TABLE 1 Reimbursement Districts with Refunds Available			
DISTRICT	FEE PER LOT	REIMBURSEMENT AVAILABLE	INCENTIVE PERIOD ENDS
TIGARD ST.No.8	5,193	No reimbursement available	
FAIRHAVEN ST/WYNo.9	4,506	No reimbursement available	
HILLVIEW ST No.11	8,000		July 11, 2003
106 TH & JOHNSON No.12	5,598	No reimbursement available	
100 TH & INEZ No.13	8,000		July 11,2003
WALNUT & TIEDEMAN No.14	8,000		July 11,2003
BEVELAND&HERMOSA No.15	5,036	No reimbursement available	
DELMONTE No.16	8,000		July 11,2003
O'MARA No.17	8,000		July 11,2003
WALNUT & 121 ST No.18	-	Amount to be reimbursed will be	Throo years from service availability
ROSE VISTA No.20	-	determined once final costs are determined.	

* Currently being constructed

CITY OF TIGARD, OREGON**RESOLUTION NO. 03- 55****A RESOLUTION PROVIDING ADDITIONAL INCENTIVES TO THE NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM (RESOLUTION NO. 01 - 46).**

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on July 10, 2001, the City Council established the Revised and Enhanced Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 01-46 to encourage owners to connect to public sewer within three-years following construction of sewers; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners of large lots to promptly connect to sewers once service is available.

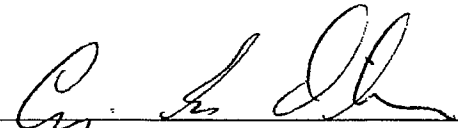
NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1:** In addition to the incentives provided by Resolution No. 01-46, any person whose reimbursement fee exceeds \$15,000 and wishes to connect a single family home or duplex to a sewer constructed through a reimbursement district may defer payment of the portion of the reimbursement fee that exceeds \$15,000, as required by Section 3 of Resolution No. 01-46, until the lot is partitioned or otherwise developed in accordance with a land use permit. The land use permit shall not be issued until payment of the deferred amount is made. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payment of this deferred amount.
- SECTION 2:** Lots that qualify under Section 1, within reimbursement districts that have exceeded the three-year period for connection, and have not connected to sewer can connect the existing structure, pay a reimbursement fee of \$6,000, and defer payment of the portion of the reimbursement fee that exceeds \$15,000 if connection to the sewer is completed within one year after the effective date of this resolution.
- SECTION 3:** Vacant lots improved with a single family home or duplex during the term of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, pay \$6,000 if the fee exceeds that amount, and may defer payment of the portion of the reimbursement fee that exceeds \$15,000 as provided by Section 1.
- SECTION 4:** Vacant lots that are partitioned, subdivided, or otherwise developed during the life of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, shall pay a reimbursement fee of \$6,000, and shall pay any amount due over \$15,000 at the time of development. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payments made under this section.
- SECTION 5:** The owner of any lot for which deferred payment is requested must enter into an agreement with the City, on a form prepared by the City Engineer, acknowledging the

owner's and owner's successors obligation to pay the deferred amount as described in Section 1. The City Recorder shall cause the agreement to be filed in the office of the County Recorder to provide notice to potential purchasers of the lot. The recording will not create a lien. Failure to make such a recording shall not affect the obligation to pay the deferred amount.

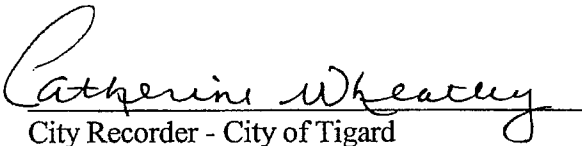
- SECTION 6: Any person who qualifies under Section 1 and has paid a reimbursement fee for the portion of the reimbursement fee in excess of \$15,000 is entitled to reimbursement for that amount from the City upon request. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. Any person requesting a refund must sign an agreement similar to that described in Section 5 acknowledging the obligation to pay the refunded amount upon partitioning or developing the lot.
- SECTION 7: The Sanitary Sewer Fund continues to remain the funding source for the Neighborhood Sewer Reimbursement District Program and shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection and for any deferred payment permitted by this resolution.
- SECTION 8: This resolution is effective immediately upon passage.

PASSED: This 14th day of October 2003.



~~Mayor - City of Tigard~~
Craig E. Dirksen, Council President

ATTEST:



Catherine Wheatey
City Recorder - City of Tigard

i:\eng\lgreg\reimbursement districts\revisions res 01-46 aug 26 03\oct 14 03 council\10-14-03 addition to res 1-46 res.doc

Agenda Item #

Meeting Date

7
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Finalization of Sanitary Sewer Reimbursement District No. 36 (SW 93rd Avenue)

Prepared By: G. Berry *GB* Dept Head Approval: *CP* City Mgr Approval: *CP*

ISSUE BEFORE THE COUNCIL

Shall City Council approve a resolution finalizing Sanitary Sewer Reimbursement District No. 36 established to construct sanitary sewers in SW 93rd Avenue?

STAFF RECOMMENDATION

Approve the proposed resolution finalizing Reimbursement District No. 36 as modified by the Final City Engineer's Report.

KEY FACTS AND INFORMATION SUMMARY

- Council approved the formation of Reimbursement District No. 36 by Resolution No. 06-16 on March 28, 2006 following an informational hearing. One owner asked questions during the hearing. Since then, construction of the improvements has been completed and final costs have been determined. The City Engineer's Report has been revised accordingly. On November 9, 2006, notices of the hearing to finalize the district were mailed to owners within the district. No responses to the notices were received. One owner has expressed an intention to immediately connect to the sewer and has requested deferral of payment of a portion of the reimbursement fee as provided by the Incentive Program.
- Through the City's Neighborhood Sewer Extension Program, the City has installed public sewers to each lot within the Reimbursement District. The property owners must reimburse the City for a fair share of the cost of the public sewer at the time of connection to the sewer. In addition, property owners must pay a connection fee, currently \$2,735, and are responsible for disconnecting the existing septic system according to County rules and any other plumbing modifications necessary to connect to the public line. The sewer connections are available should property owners need to connect. Owners will not be required to pay any fee until they connect to the sewer.
- Each owner has been notified of the hearing by mail. The notice, mailing list and additional details are included in the City Engineer's Report attached as Exhibit A to the proposed resolution.
- If Council approves this request to finalize the Reimbursement District, owners within the district will be notified that the sewer is available for connection.

OTHER ALTERNATIVES CONSIDERED

None

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The project is part of the Citywide Sewer Extension Program established by City Council to provide sewer service to developed but unserved residential areas in the City. It meets the Tigard Beyond Tomorrow Growth and Growth Management goal of "Growth will be managed to protect the character and livability of established areas, protect the natural environment and provide open space throughout the community." Sewer service enhances the environment and protects the health of the residents by providing for the closure of septic systems 40 to 50 years old.

ATTACHMENT LIST

- Attachment 1- Proposed Resolution
 - Exhibit A, City Engineer's Report
 - Exhibit B, Map
- Attachment 2- Resolution No. 06-16 with Exhibits A, B (10 pages)
- Attachment 3- Vicinity Map
- Attachment 4- Notice to Owners
- Attachment 5- Mailing List
- Attachment 6- Resolution No. 01-46
- Attachment 7- Resolution No. 03-55

FISCAL NOTES

The final actual cost of the project is \$514,800.82. This amount includes the final cost of construction, \$453,569.00, plus \$61,231.82 for administration and engineering as defined in TMC 13.09.040(1). The project was estimated to have a total cost of \$566,305, 10% higher than the actual cost.

The construction contract was awarded for \$472,212.00, \$18,643.00 more than the final cost of construction. The difference was the result of actual work quantities differing from the estimated work quantities. There were no other changes to the contract.

The portion of the final costs assigned to each owner is tabulated in Exhibit A of the attached proposed resolution. The cost to each owner under the Incentive Program established by Resolution No. 01-46 is also shown.

Funding is by unrestricted sanitary sewer funds.

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-_____

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93RD AVENUE) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 06-16.

WHEREAS, on March 28, 2006, the City Council approved Resolution No. 06-16 to form Sanitary Sewer District No. 36 to construct sewers in SW 93rd Avenue in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 06-16 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined, and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report, as recommended by the City Engineer, are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 36", attached hereto as Exhibit A, is hereby approved.

SECTION 2 The City Engineer's Report as presented in Resolution No. 06-16 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

SECTION 4 This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

i:\eng\2005-2006 fy cip\93rd ave ss reimb dist 36\city council finalization\11-28-06 reim dist 36 res.doc

Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 36
(SW 93rd Avenue)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,735, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic systems according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the 28 lots in the following table required the extension of an existing sewer in SW McDonald Street south to Elrose Court and Mountain View Lane. Two of the houses on Elrose Court are too low to be provided with gravity service to the basements. Using customary methods, the sewer cannot be installed at a sufficient depth to serve the basements of houses at 9195 and 9225 SW Elrose Court. To avoid excessive costs, the sewer only provided service to the upper floors of the houses. If an owner chooses to connect to the sewer, service to the basement will require pumping. Another option is to serve the upper floor with the sewer and continue to use the septic system to serve the basement. These two owners have been notified of this service limitation.

The project provided sewer service to a total of 28 lots as shown on Exhibit Map B.

Cost

The final cost for the sanitary sewer construction to provide service to the twenty eight lots is \$453,569.00. Engineering and inspection fees amount to \$61,231.82 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$514,800.82. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,735, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from about fifteen thousand to twenty seven thousand square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$1.054905 per square foot of lot served. Each owner's fair share will be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).

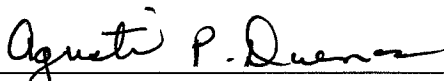
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be finalized with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted November 14, 2006



Agustin P. Duenas, P.E.
City Engineer

i:\eng\2005-2006 fy cip\93rd ave ss reimb dist 36\city council finalization\11-28-06 reimb dist 36 report app a.doc

93rd AVENUE
Reimbursement District No. 36
Cost to Property Owners Based on Final Project Cost
October 2, 2006

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	TOTAL COST	PAID BY OWNER	PAID BY CITY
1	ALLEE ANGELA F & JACK C	9265 SW MOUNTAIN VIEW	2S111AB02000	17220.743	\$18,166.24	\$9,166	\$9,000
2	ANDRADE JORGE	9225 SW ELROSE CT	2S111AB01201	22762.447	\$24,012.21	\$15,012	\$9,000
3	BEARD JOHN D & LYNN C CO-TRS	9230 SW ELROSE CT	2S111AB01700	16682.516	\$17,598.46	\$8,598	\$9,000
4	CAUFIELD LARRY L & JUDITH M	9145 SW MOUNTAIN VIEW	2S111AB02300	15098.561	\$15,927.54	\$6,928	\$9,000
5	CRAVEN RICHARD EARL & MARY	9170 SW ELROSE CT	2S111AB01500	19354.052	\$20,416.68	\$11,417	\$9,000
6	FINCK WILLIAM R & MARILYN	9235 SW MOUNTAIN VIEW	2S111AB02100	15099.365	\$15,928.39	\$6,928	\$9,000
7	GERSPACH DIANE JEANNINE	14200 SW 93RD AVE	2S111AB01900	15291.94	\$16,131.54	\$7,132	\$9,000
8	GOODHOUSE JOHN JAY	9345 SW MOUNTAIN VIEW	2S111AB02900	18642.779	\$19,666.35	\$10,666	\$9,000
9	GRIFFIN CHARLES R AND BARBARA K	14175 SW 93RD AVE	2S111AB03000	17133.72	\$18,074.44	\$9,074	\$9,000
10	HERN MICHICO	9340 SW MOUNTAIN VIEW	2S111AB02400	15000.065	\$15,823.64	\$6,824	\$9,000
11	JOHNSON HELEN M	9190 SW MOUNTAIN VIEW	2S111AB03601	15043.5	\$15,869.46	\$6,869	\$9,000
12	KLUEMPKE RICHARD G & ROSEMARY	9380 SW MOUNTAIN VIEW	2S111AB02500	15370.039	\$16,213.92	\$7,214	\$9,000
13	LINDSAY ROY L & CHARMAINE C TR	9185 SW MOUNTAIN VIEW	2S111AB02200	15097.979	\$15,926.93	\$6,927	\$9,000
14	MADISON JEFFREY ALLAN & SUSAN	9033 SW MOUNTAIN VIEW	2S111AB00201	27025.239	\$28,509.05	\$19,509	\$9,000
15	MELLAND ORVILLE E AND LOIS M	9120 SW MOUNTAIN VIEW	2S111AB03701	17438.034	\$18,395.46	\$9,395	\$9,000
16	OGBURN HELENE N	14080 SW 93RD AVE	2S111AB01000	22701.324	\$23,947.73	\$14,948	\$9,000
17	OSHIMA DANIEL K, WATTMAN & MARIAN	9150 SW MOUNTAIN VIEW	2S111AB03602	15048.979	\$15,875.24	\$6,875	\$9,000
18	PETRIN JEROME ALEX & BARBARA	9105 SW MOUNTAIN VIEW	2S111AB00403	17842.871	\$18,822.53	\$9,823	\$9,000
19	RICHARDS JONELLE M	14170 SW 93RD AVE	2S111AB01800	15556.675	\$16,410.81	\$7,411	\$9,000
20	SCHOOLER DAVID K	9420 SW MOUNTAIN VIEW	2S111AB02600	15101.725	\$15,930.88	\$6,931	\$9,000
21	SCHWARZ CHARLES & DIZNEY	14135 SW 93RD AVE	2S111AB03100	15745.921	\$16,610.44	\$7,610	\$9,000
22	SCHWARZER GERTRUD E & PETER H	9330 SW MCDONALD ST	2S111AB03200	25043.000	\$26,417.98	\$17,418	\$9,000
23	SHROCK WALTER W & TRUSTEES	9425 SW MOUNTAIN VIEW	2S111AB02700	15150.467	\$15,982.30	\$6,982	\$9,000
24	SMITH JANE A TRUSTEE	9200 SW ELROSE CT	2S111AB01600	16935.741	\$17,865.59	\$8,866	\$9,000
25	STEINER JOINT LIVING TRUST	9165 SW ELROSE CT	2S111AB01400	15256.928	\$16,094.60	\$7,095	\$9,000
26	VOLK VIRGIL V RUTH	9385 SW MOUNTAIN VIEW	2S111AB02800	15451.783	\$16,300.16	\$7,300	\$9,000
27	WEISHEIT HENRY B & BARTOLEMEA	9080 SW MOUNTAIN VIEW	2S111AB03702	16548.257	\$17,456.83	\$8,457	\$9,000
28	WILLIAMS FAMILY TRUST	9195 SW ELROSE CT	2S111AB01300	19362.333	\$20,425.41	\$11,425	\$9,000
Totals				488007	\$514,800.82	\$262,800.82	\$252,000.00
PROJECT TOTAL (Cost to Owners + Cost to City) =						\$514,800.82	

93rd AVENUE
Reimbursement District No. 36
Cost to Property Owners Based on Final Project Cost
October 2, 2006

Final Construction Cost	\$453,569
13.5% for Admin & Eng	\$61,231.82
total project costs	\$514,800.82
total area to be served (S.F.)	488,007
total cost per S.F.	\$1.0549046078

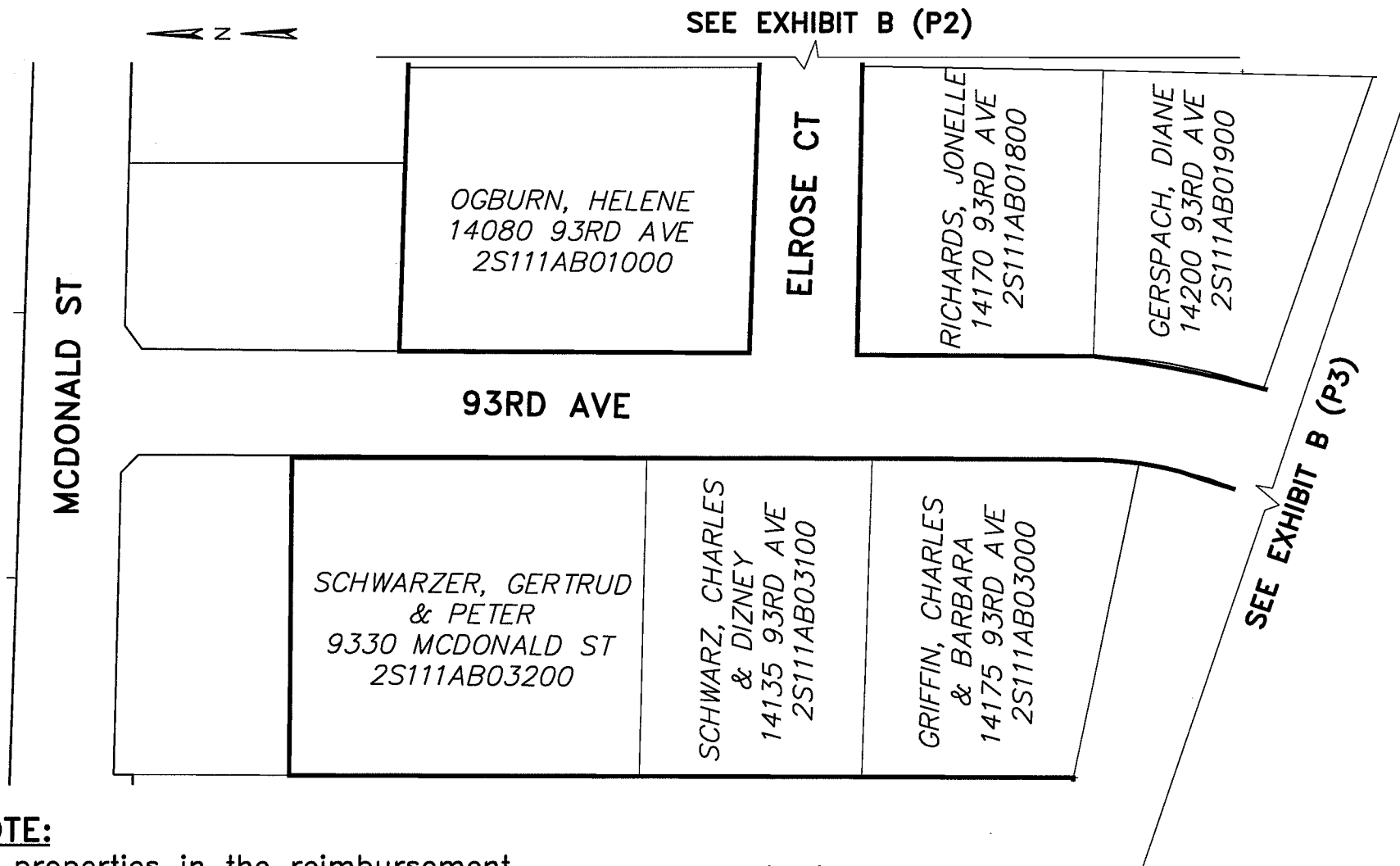
The "Paid by Owner" column shows the estimated fee each owner is required to pay to connect to the sewer. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once the construction is complete and final costs are determined.

The amount each property owner will be required to pay will be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction, in accordance with Resolution No. 01-46. This amount is shown in the "Paid by Owner" column. The remaining portion of the reimbursement fee that the owner will not be required to pay during this three year period is shown in the "paid by city" column.

Please note that Resolution No. 01-46 also requires the owner to pay any fair share amounts that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus the amount the fair share exceeds \$15,000. Under Resolution 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed.

The owner would also be required to pay a connection fee, currently \$2,735, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36
A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

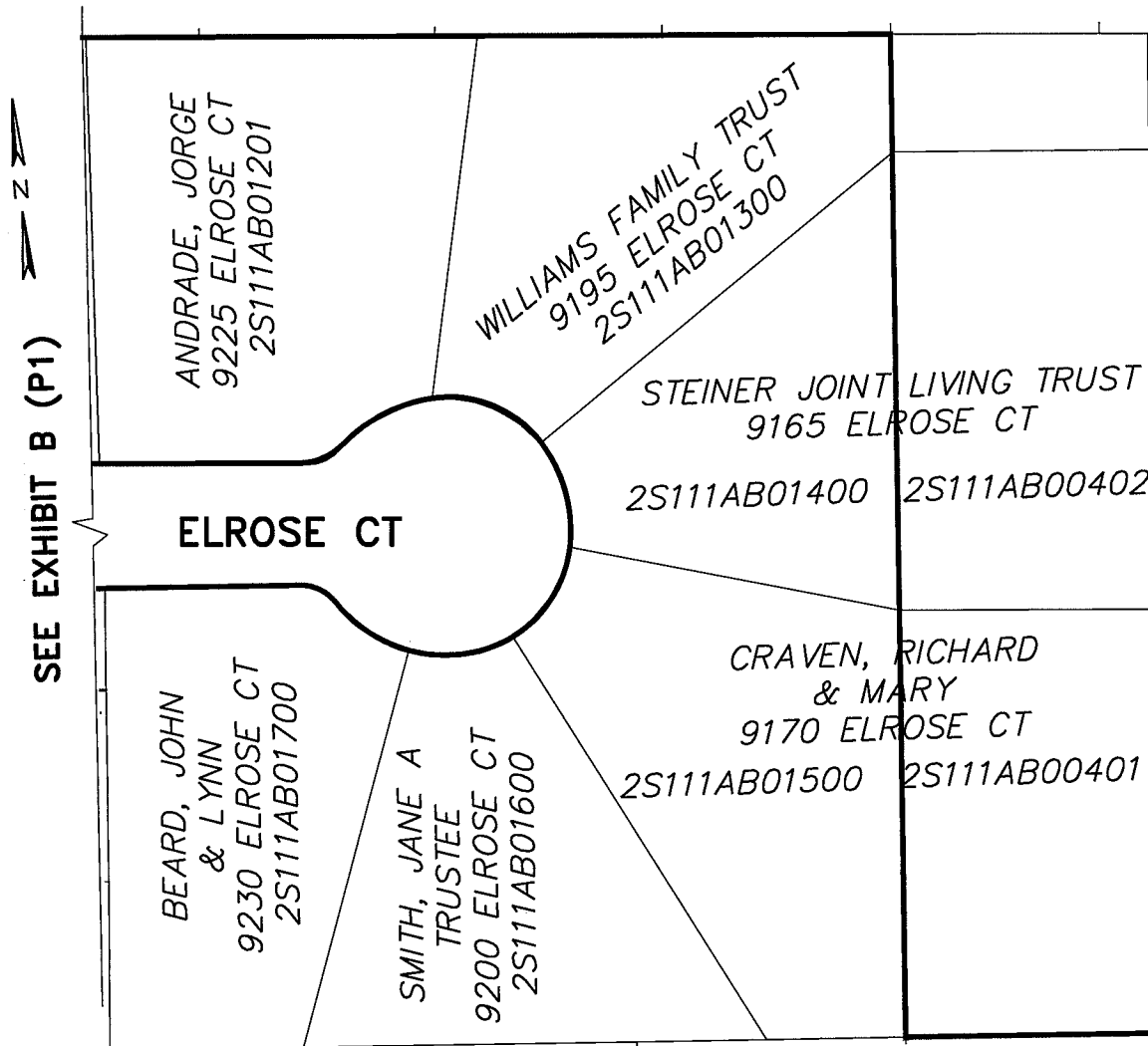


NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p1)
NTS

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36
A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

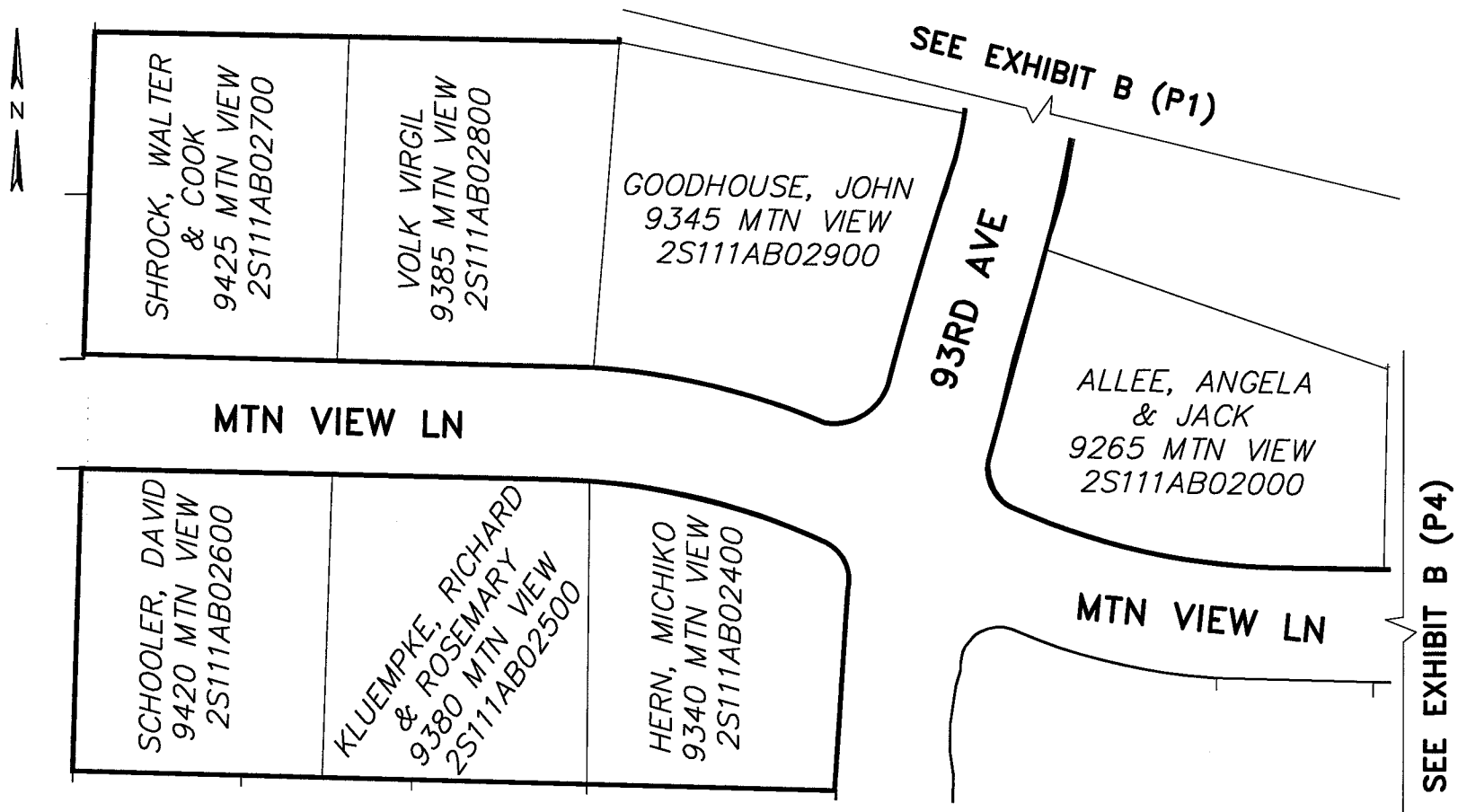


NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p2)
NTS

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36
A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

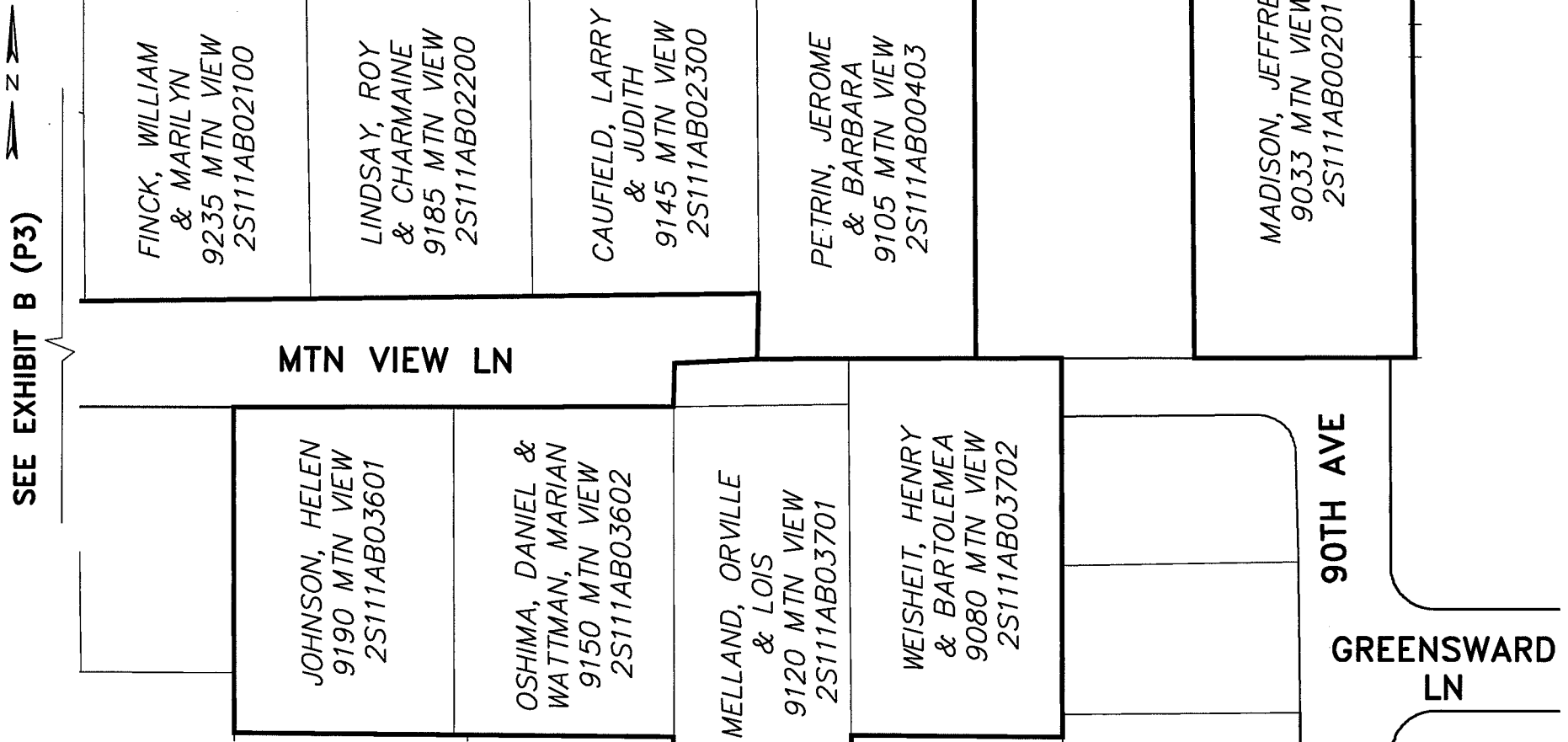


NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p3)
NTS

93RD AVE & MOUNTAIN VIEW LN
 FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #36
 A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.



NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p4)
 NTS

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06- 116

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93RD AVENUE)

WHEREAS, the City has initiated the Neighborhood Sewer Extension Program to extend public sewers and recover costs through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, the property owners of proposed Sanitary Sewer Reimbursement District No. 36 (SW 93rd Street) have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the Reimbursement District, the estimated costs, a method for spreading the cost among the parcels within the District, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a Reimbursement District as recommended by the City Engineer is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1 The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 36," attached hereto as Exhibit A, is hereby approved.
- SECTION 2 A Reimbursement District is hereby established in accordance with TMC Chapter 13.09. The District shall be the area shown and described in Exhibit B. The District shall be known as "Sanitary Sewer Reimbursement District No. 36, SW 93rd Avenue."
- SECTION 3 Payment of the reimbursement fee, as shown in Exhibit A, is a precondition of receiving City permits applicable to development of each parcel within the Reimbursement District as provided for in TMC 13.09.110.
- SECTION 4 An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the Reimbursement Fee.
- SECTION 5 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.

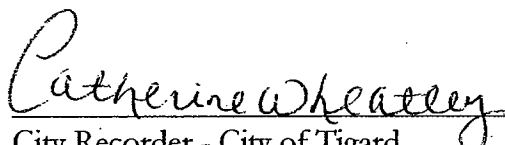
SECTION 6 This resolution is effective immediately upon passage.

PASSED: This 28th day of March 2006.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

*Certified to be a true copy of the Original on file at City of
Tigard City Hall.*

By Catherine Wheatley 4-20-06
City Recorder, City of Tigard Date



Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 36
(SW 93rd Avenue)

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee, currently \$2,635, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic systems according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the twenty eight lots in the following table will require the extension of an existing sewer in SW McDonald Street south to Elrose Court and Mountain View Lane. Two of houses on Elrose Court are too low to be provided with gravity service to the basements. Using customary methods, the sewer cannot be installed at a sufficient depth to serve the basements of houses at 9195 and 9225 SW Elrose Court. To avoid excessive costs, the proposed sewer will only provide service to the upper floors of the houses. If an owner chooses to connect to the sewer, service to the basement will require pumping. Another option is to serve the upper floor with the sewer and continue to use the septic system to serve the basement. These two owners have been notified of this service limitation.

The proposed project would provide sewer service to a total of twenty eight lots as shown on Exhibit Map B.

Cost

The estimated cost for the sanitary sewer construction to provide service to the twenty eight lots is \$498,947. Engineering and inspection fees amount to \$67,358 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$566,305. This is the estimated amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,635, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from about fifteen thousand to twenty seven thousand square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$1.16044 per square foot of lot served. Each owner's fair share would be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).

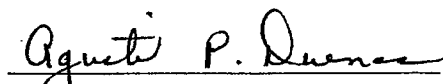
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted March 14, 2006


Agustin P. Duenas, P.E.
City Engineer

kleng\2005-2006 fy cipl\93rd ave ss reimb dist 36\city council formation\28-3-06 reimb dist 36 report app a.doc

93rd AVENUE
Reimbursement District No. 36

Cost Estimate
February 24, 2006

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	TOTAL ESTIMATED COST	PAID BY OWNER	PAID BY CITY
1	ALLEE ANGELA F & JACK C	9265 SW MOUNTAIN VIEW	2S111AB02000	17220.743	\$19,984	\$10,984	\$9,000
2	ANDRADE JORGE	9225 SW ELROSE CT	2S111AB01201	22762.447	\$26,415	\$17,415	\$9,000
3	BEARD JOHN D & LYNN C CO-TRS	9230 SW ELROSE CT	2S111AB01700	16682.516	\$19,359	\$10,359	\$9,000
4	CAUFIELD LARRY L & JUDITH M	9145 SW MOUNTAIN VIEW	2S111AB02300	15098.561	\$17,521	\$8,521	\$9,000
5	CRAVEN RICHARD EARL & MARY	9170 SW ELROSE CT	2S111AB01500	19354.052	\$22,459	\$13,459	\$9,000
6	FINCK WILLIAM R & MARILYN	9235 SW MOUNTAIN VIEW	2S111AB02100	15099.365	\$17,522	\$8,522	\$9,000
7	GERSPACH DIANE JEANNINE	14200 SW 93RD AVE	2S111AB01900	15291.94	\$17,745	\$8,745	\$9,000
8	GOODHOUSE JOHN JAY	9345 SW MOUNTAIN VIEW	2S111AB02900	18642.779	\$21,634	\$12,634	\$9,000
9	GRIFFIN CHARLES R AND BARBARA K	14175 SW 93RD AVE	2S111AB03000	17133.72	\$19,883	\$10,883	\$9,000
10	HERN MICHICO	9340 SW MOUNTAIN VIEW	2S111AB02400	15000.065	\$17,407	\$8,407	\$9,000
11	JOHNSON HELEN M	9190 SW MOUNTAIN VIEW	2S111AB03601	15043.5	\$17,457	\$8,457	\$9,000
12	KLUEMPKE RICHARD G & ROSEMARY	9380 SW MOUNTAIN VIEW	2S111AB02500	15370.039	\$17,836	\$8,836	\$9,000
13	LINDSAY ROY L & CHARMAINE C TR	9185 SW MOUNTAIN VIEW	2S111AB02200	15097.979	\$17,520	\$8,520	\$9,000
14	MADISON JEFFREY ALLAN & SUSAN	9033 SW MOUNTAIN VIEW	2S111AB00201	27025.239	\$31,361	\$22,361	\$9,000
15	MELLAND ORVILLE E AND LOIS M	9120 SW MOUNTAIN VIEW	2S111AB03701	17438.034	\$20,236	\$11,236	\$9,000
16	OGBURN HELENE N	14080 SW 93RD AVE	2S111AB01000	22701.324	\$26,344	\$17,344	\$9,000
17	OSHIMA DANIEL K, WATTMAN & MARIAN	9150 SW MOUNTAIN VIEW	2S111AB03602	15048.979	\$17,464	\$8,464	\$9,000
18	PETRIN JEROME ALEX & BARBARA	9105 SW MOUNTAIN VIEW	2S111AB00403	17842.871	\$20,706	\$11,706	\$9,000
19	RICHARDS JONELLE M	14170 SW 93RD AVE	2S111AB01800	15556.675	\$18,053	\$9,053	\$9,000
20	SCHOOLER DAVID K	9420 SW MOUNTAIN VIEW	2S111AB02600	15101.725	\$17,525	\$8,525	\$9,000
21	SCHWARZ CHARLES & DIZNEY	14135 SW 93RD AVE	2S111AB03100	15745.921	\$18,272	\$9,272	\$9,000
22	SCHWARZER GERTRUD E & PETER H	9330 SW MCDONALD ST	2S111AB03200	25043.000	\$29,061	\$20,061	\$9,000
23	SHROCK WALTER W & TRUSTEES	9425 SW MOUNTAIN VIEW	2S111AB02700	15150.467	\$17,581	\$8,581	\$9,000
24	SMITH JANE A TRUSTEE	9200 SW ELROSE CT	2S111AB01600	16935.741	\$19,653	\$10,653	\$9,000
25	STEINER JOINT LIVING TRUST	9165 SW ELROSE CT	2S111AB01400	15256.928	\$17,705	\$8,705	\$9,000
26	VOLK VIRGIL V RUIH	9385 SW MOUNTAIN VIEW	2S111AB02800	15451.783	\$17,931	\$8,931	\$9,000
27	WEISHEIT HENRY B & BARTOLEMEA	9080 SW MOUNTAIN VIEW	2S111AB03702	16548.257	\$19,203	\$10,203	\$9,000
28	WILLIAMS FAMILY TRUST	9195 SW ELROSE CT	2S111AB01300	19362.333	\$22,469	\$13,469	\$9,000
				Totals	488007	\$566,305	\$314,305
							\$252,000

PROJECT TOTAL (Cost to Owners + Cost to City) = **\$566,305**

93rd AVENUE
Reimbursement District No. 36
Cost Estimate Summary
February 24, 2006

Estimated Construction Cost	\$433,867
15% contingency (construction)	\$65,080
Estimated construction subtotal	\$498,947
13.5% contingency (Admin & Eng)	\$67,358
total project costs	\$566,305
total area to be served (S.F.)	488,007
total cost per S.F.	\$1.1604442

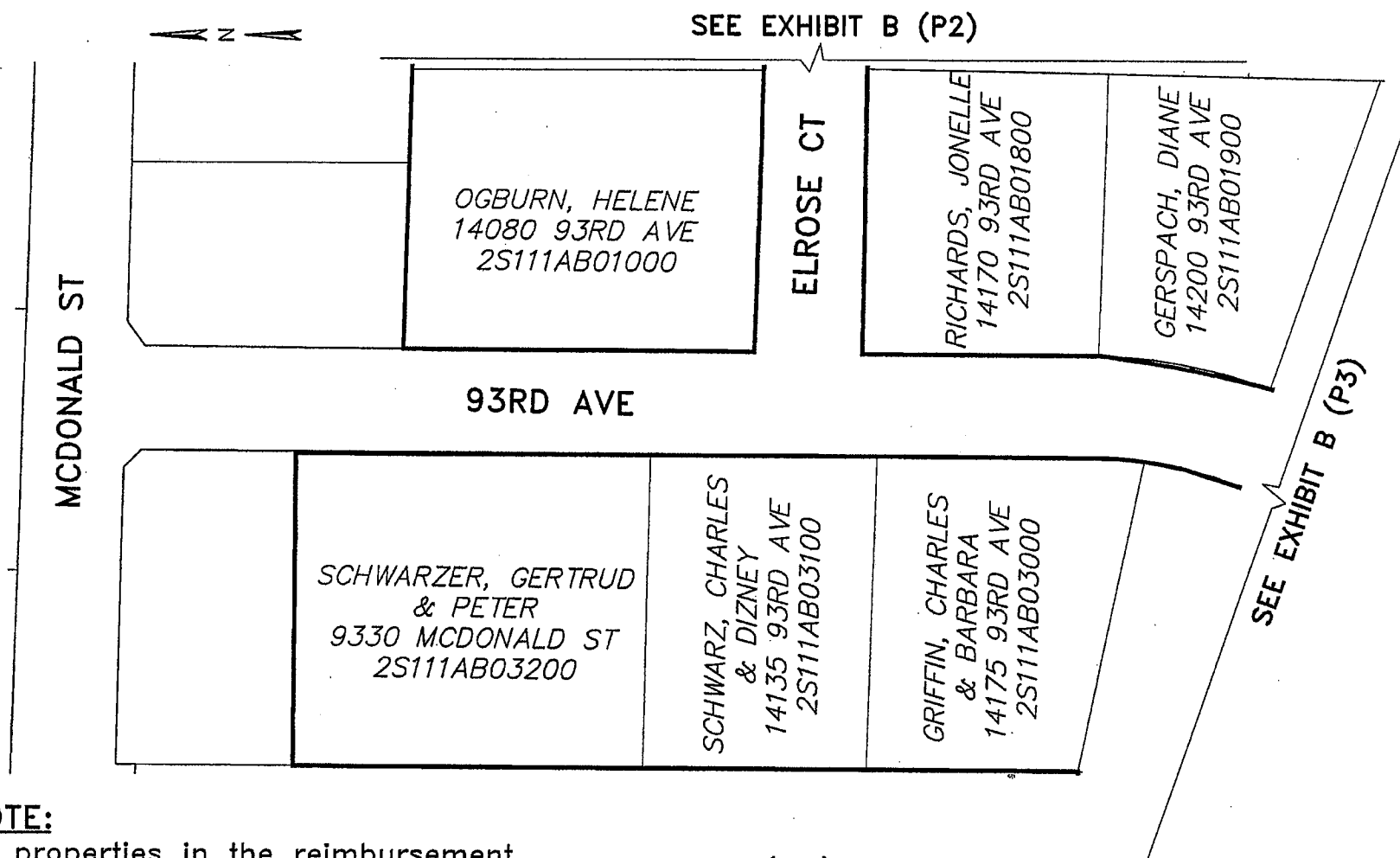
The "Paid by Owner" column shows the estimated fee each owner is required to pay to connect to the sewer. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once the construction is complete and final costs are determined.

The amount each property owner will be required to pay will be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction, in accordance with Resolution 01-46. This amount is shown in the "Paid by Owner" column. The remaining portion of the reimbursement fee that the owner will not be required to pay during this three year period is shown in the "paid by city" column.

Please note that Resolution 01-46 also requires the owner to pay any fair share amounts that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus the amount the fair share exceeds \$15,000. Under Resolution 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed.

The owner would also be required to pay a connection fee, currently \$2,635, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36
A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

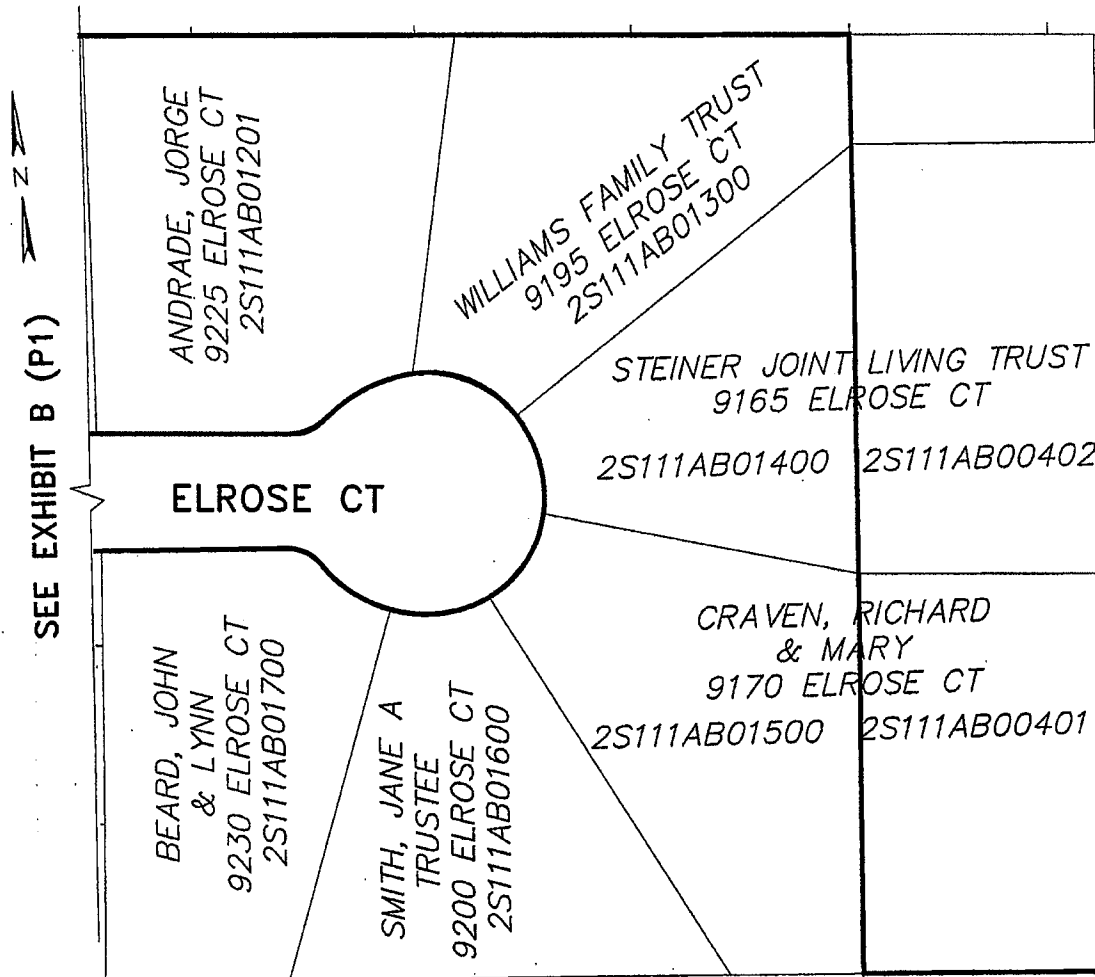


NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p1)
NTS

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36
A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

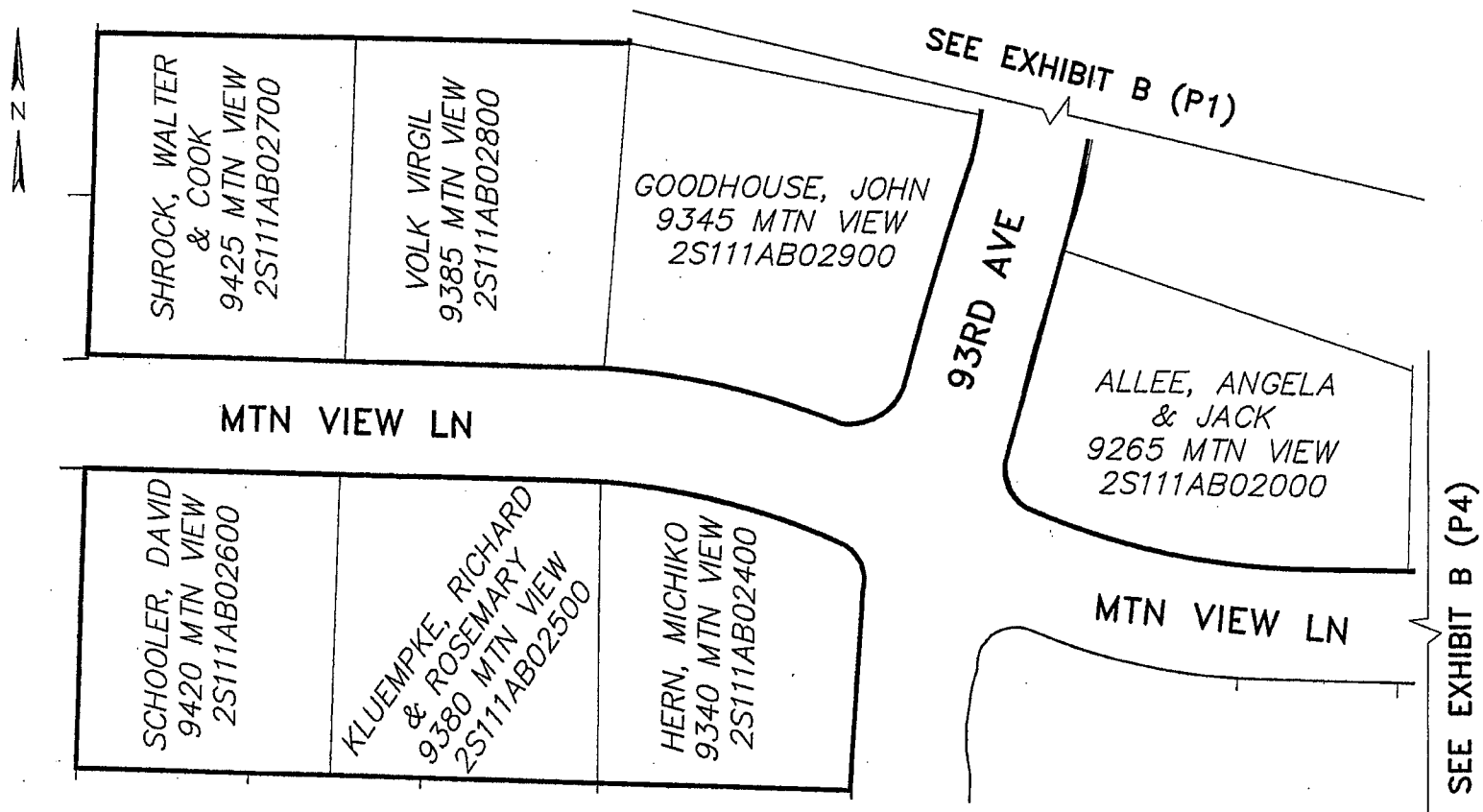


NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p2)
NTS

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36
A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.



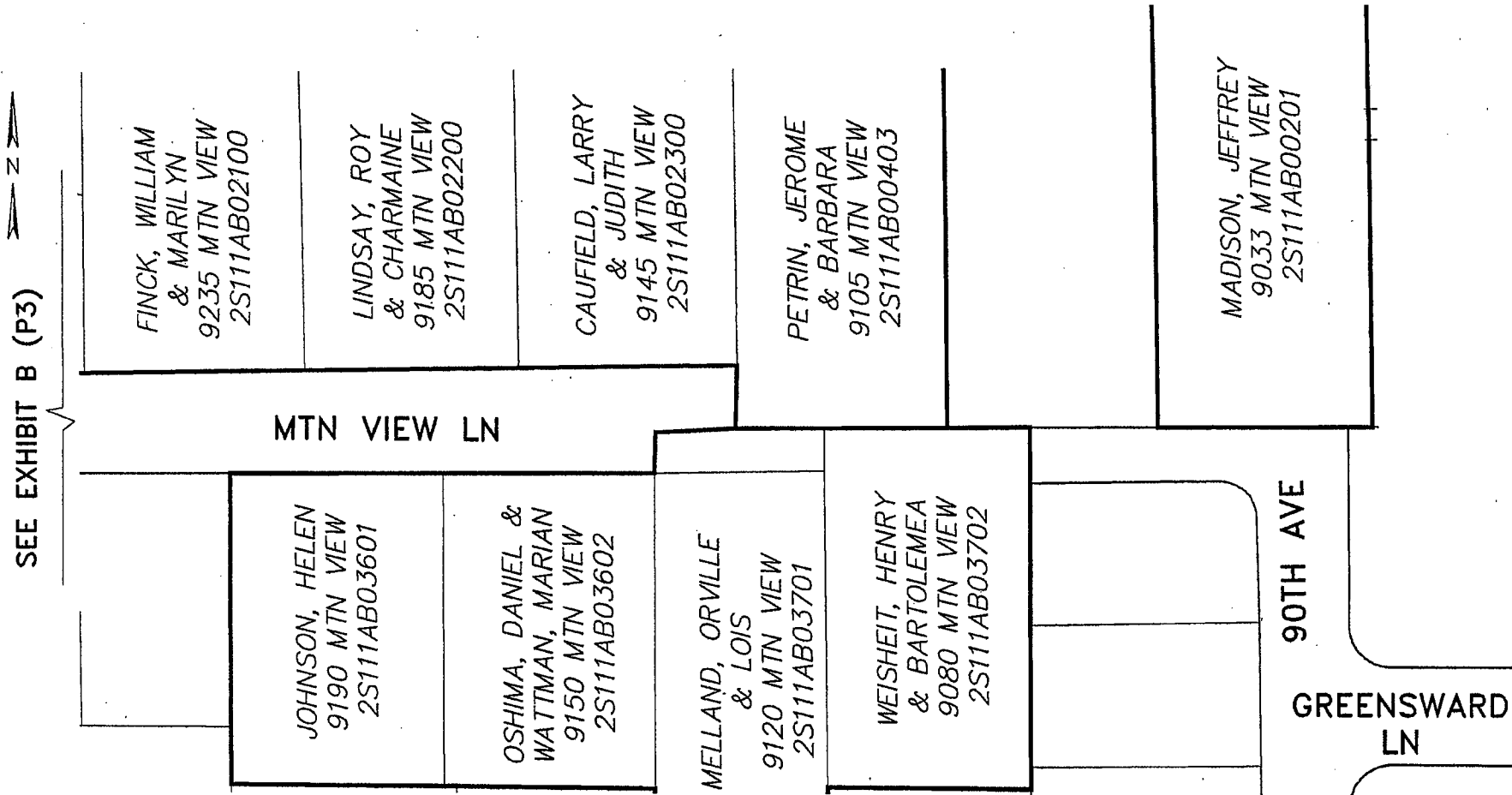
NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p3)
NTS

93RD AVE & MOUNTAIN VIEW LN
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT #36

A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

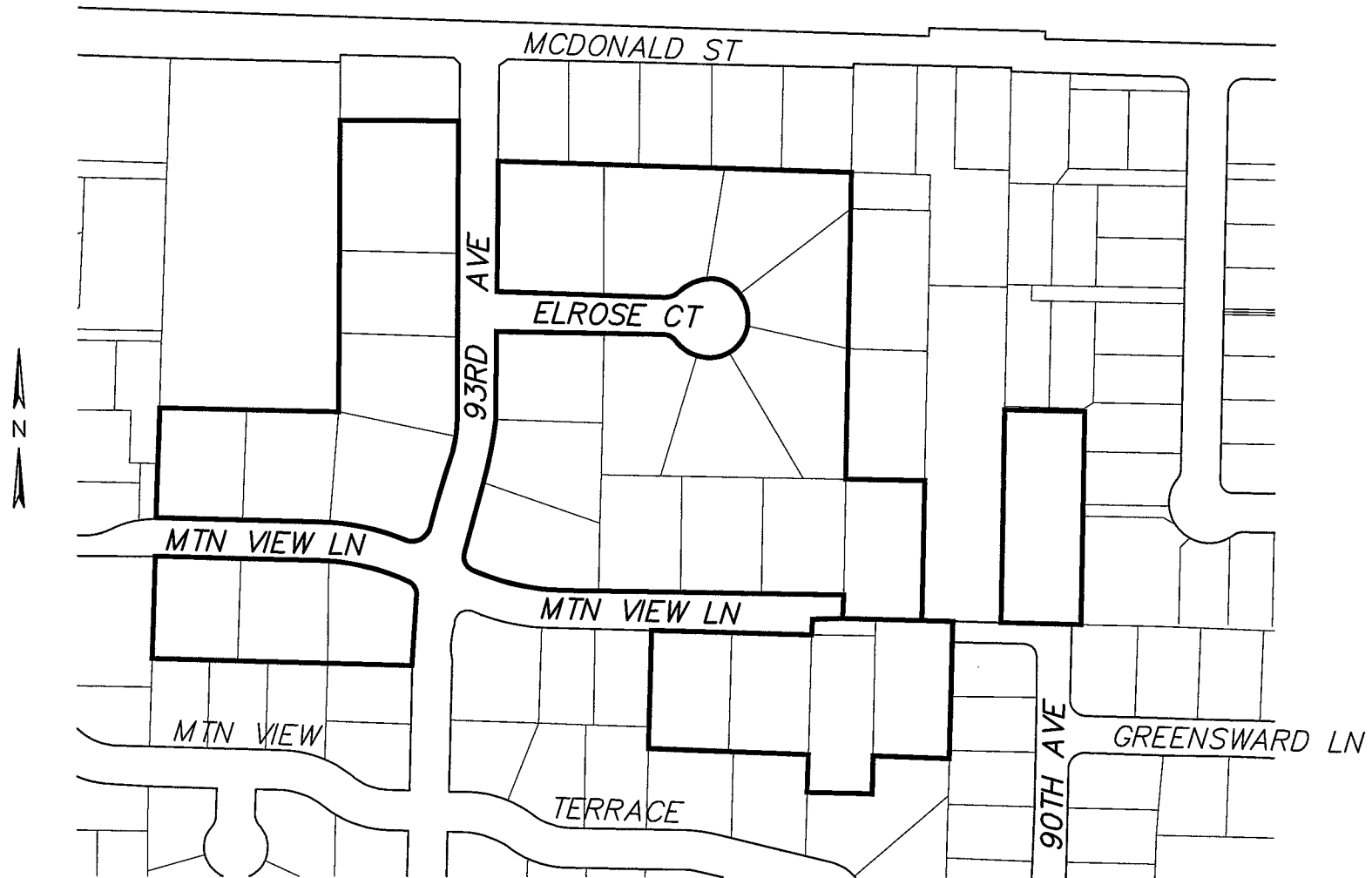


NOTE:

All properties in the reimbursement
district are zoned R4.5

EXHIBIT B (p4)
NTS

93RD AVENUE & MOUNTAIN VIEW LANE
FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
REIMBURSEMENT DISTRICT NO. 36
A PORTION OF THE SW 1/4 SECTION 2 T2S R1W W.M.



VICINITY MAP

November 13, 2006

**NOTICE
of
PUBLIC HEARING
Tuesday, November 28, 2006
7:30 PM
Tigard Civic Center
Town Hall**

The following will be considered by the Tigard City Council on November 28, 2006 at 7:30 PM at the Tigard Civic Center - Town Hall, 13125 SW Hall Blvd., Tigard, Oregon. Both public oral and written testimony is invited. The public hearing on this matter will be conducted as required by Section 13.09.105 of the Tigard Municipal Code. Further information may be obtained from the Engineering Department at 13125 SW Hall Blvd., Tigard, OR 97223, or by calling 503 718-2468.

INFORMATIONAL PUBLIC HEARING:

FINALIZATION OF SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93rd Avenue). The Tigard City Council will conduct a public hearing to hear testimony on the finalization of Sanitary Sewer Reimbursement District No. 36 formed to install sewers in SW 93rd Avenue.

Each property owner's recommended fair share of the public sewer line is \$1.054905 per square foot of the lot served as shown on the enclosed list. For owners with a fair share amount of \$15,000 or less, the owner's fair share would be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01- 46. In addition to paying for the first \$6,000, owners will remain responsible for paying actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution No. 03-55.

2S111AB02000
ALLEE ANGELA F & JACK C
9265 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB01700
BEARD JOHN D & LYNN C CO-TRS
9230 SW ELROSE CT
TIGARD OR 97224

2S111AB01500
CRAVEN RICHARD EARL
9170 SW ELROSE CT
TIGARD OR 97224

2S111AB01900
GERSPACH DIANE JEANNINE
14200 SW 93RD
TIGARD OR 97224

2S111AB03000
GRIFFIN CHARLES R AND BARBARA K
14175 SW 93RD AVE
TIGARD OR 97224

2S111AB03601
JOHNSON HELEN M
9190 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB02200
LINDSAY ROY L & CHARMAINE C TR
9185 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB03701
MELLAND ORVILLE E AND LOIS M
9120 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB03602
OSHIMA DANIEL K
9150 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB01800
RICHARDS JONELLE M
14170 SW 93RD AVE
TIGARD OR 97224

2S111AB01201
ANDRADE JORGE SR
9225 SW ELROSE CT
TIGARD OR 97224

2S111AB02300
CAUFIELD LARRY L & JUDITH M
9145 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB02100
FINCK WILLIAM R & MARILYN
9235 SW MOUNTAIN VIEW LN
TIGARD OR 97223

2S111AB02900
GOODHOUSE JOHN JAY
9345 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB02400
HERN MICHIKO
9340 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB02500
KLUEMPKE RICHARD G
9380 SW MOUNTAIN VIEW LN
TIGARD OR 97223

2S111AB00201
MADISON JEFFREY ALLAN
9033 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB01000
OGBURN HELENE N
14080 SW 93RD AVE
TIGARD OR 97224

2S111AB00403
PETRIN JEROME ALEX
9105 SW MTN VIEW LN
TIGARD OR 97224

2S111AB02600
SCHOOLER DAVID K
9420 SW MOUNTAIN VIEW LN
TIGARD OR 97223

2S111AB03100
SCHWARZ CHARLES
14135 SW 93RD AVE
TIGARD OR 97224

2S111AB03200
SCHWARZER GERTRUD E & PETER H
9330 SW MCDONALD
TIGARD OR 97224

2S111AB02700
SHROCK WALTER W
9425 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB01600
SMITH JANE A TRUSTEE
9200 SW ELROSE CT
TIGARD OR 97223

2S111AB01400
STEINER JOINT LIVING TRUST
9165 SW ELROSE
TIGARD OR 97223

2S111AB02800
VOLK VIRGIL V RUTH
9385 SW MOUNTAIN VIEW LN
TIGARD OR 97223

2S111AB03702
WEISHEIT HENRY B
9080 SW MOUNTAIN VIEW LN
TIGARD OR 97224

2S111AB01300
WILLIAMS FAMILY TRUST
9195 SW ELROSE CT
TIGARD OR 97224

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-46

A RESOLUTION REPEALING RESOLUTION NO. 98-51 AND ESTABLISHING A REVISED AND ENHANCED NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on October 13, 1998, the City Council established The Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 98-51 to encourage owners to connect to public sewer. The program was offered for a two-year period after which the program would be evaluated for continuation; and

WHEREAS, on September 26, 2000, the City Council extended The Neighborhood Sewer Reimbursement District Incentive Program an additional two years through Resolution No. 00-60; and

WHEREAS, City Council finds that residential areas that remain without sewer service should be provided with service within five years; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners to promptly connect to sewers once service is available and that owners who have paid for service provided by previously established districts of the Neighborhood Sewer Extension Program should receive the benefits of the additional incentives.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 98-51 establishing the Neighborhood Sewer Reimbursement District Incentive Program is hereby repealed.

SECTION 2: A revised incentive program is hereby established for the Neighborhood Sewer Extension Program. This incentive program shall apply to sewer connections provided through the sewer reimbursement districts shown on the attached Table 1 or established thereafter. All connections qualifying under this program must be completed within **three years** after Council approval of the final City Engineer's Report following a public hearing conducted in accordance with TMC Section 13.09.105 or by **two years** from the date this resolution is passed, which ever is later, as shown on the attached Table 1.

SECTION 3: To the extent that the reimbursement fee determined in accordance with Section 13.09.040 does not exceed \$15,000, the amount to be reimbursed by an owner of a lot zoned single family residential shall not exceed \$6,000 per connection, provided that the lot owner complies with the provisions of Section 2. Any amount over \$15,000 shall be reimbursed by the owner. This applies only to the reimbursement fee for the sewer installation and not to the connection fee, which is still payable upon application for

sewer connection.

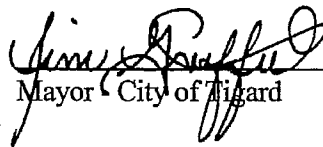
SECTION 4: The City Engineer's Report required by TMC Chapter 13.09 shall apply the provisions of this incentive program. Residential lot owners who do not connect to sewer in accordance with Section 2 shall pay the full reimbursement amount as determined by the final City Engineer's Report.

SECTION 5: Any person who has paid a reimbursement fee in excess of the fee required herein is entitled to reimbursement from the City. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. The Finance Director shall make payment to all persons entitled to the refund no later than August 31, 2001.

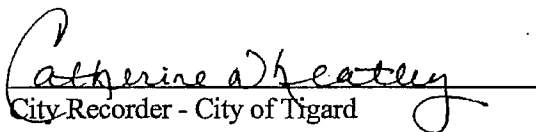
SECTION 6: The Sanitary Sewer Fund, which is the funding source for the Neighborhood Sewer Reimbursement District Program, shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection.

EFFECTIVE DATE: July 10, 2001

PASSED: This 10th day of July 2001.


Mayor City of Tigard

ATTEST:


City Recorder - City of Tigard

I:\Citywide\Res\Resolution Revising the Neighborhood Sewer Incentive Program

RESOLUTION NO. 01-46

Page 2

TABLE 1 Reimbursement Districts with Refunds Available			
DISTRICT	FEE PER LOT	REIMBURSEMENT AVAILABLE	INCENTIVE PERIOD ENDS
TIGARD ST.No.8	5,193	No reimbursement available	
FAIRHAVEN ST/WYNo.9	4,506	No reimbursement available	
HILLVIEW ST No.11	8,000		July 11, 2003
106 TH & JOHNSON No.12	5,598	No reimbursement available	
100 TH & INEZ No.13	8,000		July 11,2003
WALNUT & TIEDEMAN No.14	8,000		July 11,2003
BEVELAND&HERMOSA No.15	5,036	No reimbursement available	
DELMONTE No.16	8,000		July 11,2003
O'MARA No.17	8,000		July 11,2003
WALNUT & 121 ST No.18	-	Amount to be reimbursed will be	Three years from service availability
ROSE VISTA No.20	-	determined once final costs are determined.	

* Currently being constructed

CITY OF TIGARD, OREGON**RESOLUTION NO. 03- 55****A RESOLUTION PROVIDING ADDITIONAL INCENTIVES TO THE NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM (RESOLUTION NO. 01 – 46).**

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on July 10, 2001, the City Council established the Revised and Enhanced Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 01-46 to encourage owners to connect to public sewer within three-years following construction of sewers; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners of large lots to promptly connect to sewers once service is available.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1:** In addition to the incentives provided by Resolution No. 01-46, any person whose reimbursement fee exceeds \$15,000 and wishes to connect a single family home or duplex to a sewer constructed through a reimbursement district may defer payment of the portion of the reimbursement fee that exceeds \$15,000, as required by Section 3 of Resolution No. 01-46, until the lot is partitioned or otherwise developed in accordance with a land use permit. The land use permit shall not be issued until payment of the deferred amount is made. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payment of this deferred amount.
- SECTION 2:** Lots that qualify under Section 1, within reimbursement districts that have exceeded the three-year period for connection, and have not connected to sewer can connect the existing structure, pay a reimbursement fee of \$6,000, and defer payment of the portion of the reimbursement fee that exceeds \$15,000 if connection to the sewer is completed within one year after the effective date of this resolution.
- SECTION 3:** Vacant lots improved with a single family home or duplex during the term of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, pay \$6,000 if the fee exceeds that amount, and may defer payment of the portion of the reimbursement fee that exceeds \$15,000 as provided by Section 1.
- SECTION 4:** Vacant lots that are partitioned, subdivided, or otherwise developed during the life of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, shall pay a reimbursement fee of \$6,000, and shall pay any amount due over \$15,000 at the time of development. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payments made under this section.
- SECTION 5:** The owner of any lot for which deferred payment is requested must enter into an agreement with the City, on a form prepared by the City Engineer, acknowledging the

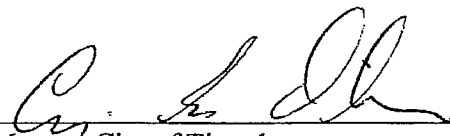
owner's and owner's successors obligation to pay the deferred amount as described in Section 1. The City Recorder shall cause the agreement to be filed in the office of the County Recorder to provide notice to potential purchasers of the lot. The recording will not create a lien. Failure to make such a recording shall not affect the obligation to pay the deferred amount.

SECTION 6: Any person who qualifies under Section 1 and has paid a reimbursement fee for the portion of the reimbursement fee in excess of \$15,000 is entitled to reimbursement for that amount from the City upon request. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. Any person requesting a refund must sign an agreement similar to that described in Section 5 acknowledging the obligation to pay the refunded amount upon partitioning or developing the lot.

SECTION 7: The Sanitary Sewer Fund continues to remain the funding source for the Neighborhood Sewer Reimbursement District Program and shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection and for any deferred payment permitted by this resolution.

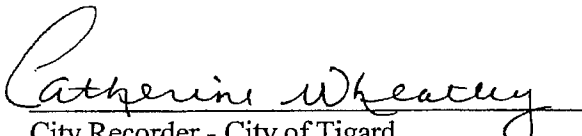
SECTION 8: This resolution is effective immediately upon passage.

PASSED: This 14th day of October 2003.



~~Mayor City of Tigard~~
Craig E. Dirksen, Council President

ATTEST:



Catherine Wheahey
City Recorder - City of Tigard

\\eng\greg\reimbursement districts\revisions res 01-46 aug 26 03\oct 14 03 council\10-14-03 addition to res 1-46 res.doc

Agenda Item #
Meeting Date

8
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Update on the Current Status of the Emergency Management Program in Tigard

Prepared By: Dennis Koellermeier Dept Head Approval: DK by City Mgr Approval: cl
cdw

ISSUE BEFORE THE COUNCIL

Receive an update on the current status of the City's Emergency Management Program.

STAFF RECOMMENDATION

No action required; informational only.

KEY FACTS AND INFORMATION SUMMARY

The Emergency Management Program continues to move forward in planning and preparing for disasters and/or emergencies. An update on the following emergency management items will be provided:

- Community Emergency Response Team (CERT)
- 72-Hour Preparedness Outreach
- Emergency Operations Plan Development and Revision
- Office of Consolidated Emergency Management (OCEM) projects
- June 14, 2006, Emergency Response Exercise

OTHER ALTERNATIVES CONSIDERED

Not applicable.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Tigard City Council, Other Important Goals for 2006

Improve Communication and Relationship with Citizens

Tigard Beyond Tomorrow, Public Safety

Goal #3: The community will be trained and prepared for emergencies.

Strategy #1: Develop community-wide program to train citizens to be self-sufficient for the first 72 hours after and emergency event.

Strategy #2: Coordinate Tigard emergency response providers.

Tigard Beyond Tomorrow, Community Character & Quality of Life, Volunteerism

Goal #1: City will maximize the effectiveness of the volunteer spirit to accomplish the greatest good for our community.

ATTACHMENT LIST

1. PowerPoint Presentation
2. June 14, 2006 Emergency Preparedness Survey Results
3. Thirty-Second "Take 5 to Survive" Public Education Video Clip

FISCAL NOTES

The City's share of the annual Emergency Management Program is approximately \$88,000, funded through the Public Works budget. Actual program costs are higher and are paid for through grants. For example, the City was recently awarded a \$22,225 State Homeland Security Grant to purchase radios which will improve emergency communications and Tigard's CERT program has received federal funding.

Program Area Review

- ◆ CERT Program
- ◆ 72-Hour Preparedness
- ◆ Emergency Plan Development and Revisions
- ◆ OCEM Partnering Projects
- ◆ June '06 Exercise Summary

Community Emergency Response Team Program

- ◆ Volunteers to Date
- ◆ Conducted Two Basic Classes
- ◆ Conducted Six Enhanced Classes
- ◆ Participated in Two Rodeos
- ◆ Event Support
- ◆ Volunteer Hours
- ◆ Future Plans

72-Hour Preparedness Outreach

- ◆ Conducted Six Presentations
- ◆ Participated in the Emergency Services Fair
- ◆ Improving the Emergency Management Link on the Web Site

Emergency Plan Development and Revision

- ◆ Natural Hazard Mitigation Plan Addendum
- ◆ Critical Infrastructure Protection Plan
- ◆ Emergency Operations Plan
- ◆ Business Continuity Plan

Natural Hazard Mitigation Plan Addendum

- ◆ Identified Six Natural Hazards
- ◆ Updated Probabilities
- ◆ Tied Directly to the Comp Plan
- ◆ Identified Prioritized Strategies
- ◆ Benefit for the Process

Critical Infrastructure Protection Plan

- ◆ Multiple Jurisdictions and Disciplines at All Levels
- ◆ Established Threshold Criteria
- ◆ Identified Interdependencies
- ◆ Developed Infrastructure Prioritization

Emergency Operations Plan

- ◆ The Bi-Annual Review of the EOP Is Completed
- ◆ Rewrite of the Plan Underway
- ◆ Re-Establish Incident Management Team Working Group
- ◆ Projected Revised Emergency Operations Plan to Council February '07

Business Continuity Planning

- ◆ Management Analyst Working Group
- ◆ Developed Draft Timelines
- ◆ Three Phase Approach
- ◆ Executive Staff Presentation

OCEM Partnering Projects

- ◆ Six Comprehensive Planning Annexes
- ◆ Elected Officials Guide
- ◆ Special Needs Forum
- ◆ Take 5 to Survive Video Clip
- ◆ TIPOFF '06
- ◆ Seek Federal Grant Funds

TIPOFF '06 Exercise Summary

- ◆ Two-County Multiple Jurisdiction Full Scale Exercise
- ◆ Over 230 Participants in Tigard Alone
- ◆ Lessons Learned
- ◆ Survey Results

Future

- ◆ Required Staff Training
- ◆ Internal Exercising
- ◆ Plans and Annex Adoption
- ◆ Continue to Work with the Regional Approach in Response and Recovery
- ◆ Public Outreach
- ◆ TOPOFF '07

QUESTIONS ?

June 14, 2006

Emergency Preparedness Survey Results

The June 14 Emergency Preparedness Exercise took place in the Menlor area. Immediately following the exercise, 120 surveys were handed out to residents to assess communication and obtain their views regarding the exercise. Seventy surveys were returned. Of these 70 respondents, nearly 93 percent said they were informed about the exercise beforehand. The majority of survey comments were positive; the comments were as follows:

I'd like to know the results.
Well done.
We were at work all day.
Thank you.
"Practice makes perfect."
I think it is a great program and was completed very professionally.
Mike Lueck did a great job explaining all of this on June 13 at 7:45 on Cable Channel 28.
Great Job! Thank you!!!
Only a little. We did not have access to our driveway because trucks blocked it, but it was for a good reason so it didn't really bother us.
It's nice to know we are being proactive as opposed to reactive. This is the first time in 5 states and many neighbors having this type of exercise done. Thank you.
Thank you for planning ahead by training for an emergency.
Very interesting and thought provoking exercise. We are glad it is happening and encourage other such events to occur.
It's good to have a drill like this for our own safety and to prepare the community for what possible emergency arises. Thanks!
I appreciated the notice - otherwise it would have been alarming.
Law Enforcement was <u>very</u> courteous!
I am pleased to know the City of Tigard participated in this exercise. Thank you.
Scary to have all the police and emergency equipment around - in an emergency it will be reassuring I imagine.
My wife - who wasn't aware of the exercise - was told by someone participating in the exercise that the water was contaminated, and that she could not leave the house. Participant did not tell her that an exercise was in progress.
My cat got loose, I chased it, in my towel, and got locked out of my house; as a result, I was late for work. My cat has not yet returned.
We had to turn off our water for 3 ½ hrs. I don't remember it saying that in our prior information.
I was scared to death by all the geared up police. I had to drive my kids to school and figure out an alternate way to get there.
Glad to know that these exercises take place. Keep up the good work.

Agenda Item #
Meeting Date

9
November 28, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Annual Police Report

Prepared By: William Dickinson Dept Head Approval: WMD City Mgr Approval: CL

ISSUE BEFORE THE COUNCIL

Presentation to City Council by Chief Dickinson to provide the annual update on crime trends and Department initiatives.

STAFF RECOMMENDATION

Receive report.

KEY FACTS AND INFORMATION SUMMARY

TMC 2.30.040 requires that "The Chief of Police shall provide for an annual public review and evaluation of all Department goals and objectives, and progress made toward their achievement." In addition to reviewing crime trends and Department accomplishments and initiatives, the Chief will discuss how the Police Department is coping with the forces of change at work in law enforcement and where the Department is spearheading change.

OTHER ALTERNATIVES CONSIDERED

Not applicable..

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The Chief's Annual Report will cover the following goals from the Tigard Beyond Tomorrow Progress Report 2005 Public Safety section:

Goal #1

The community residents, business owners, and service providers will understand their roles through effective communication to successfully enhance public safety and emergency services.

Goal #4

Police outreach: Better communication with all citizens.

Goal #1 – Transportation and Traffic section of Tigard Beyond Tomorrow
Improve traffic safety.

ATTACHMENT LIST

None.

FISCAL NOTES

Not applicable.